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December, 1902.

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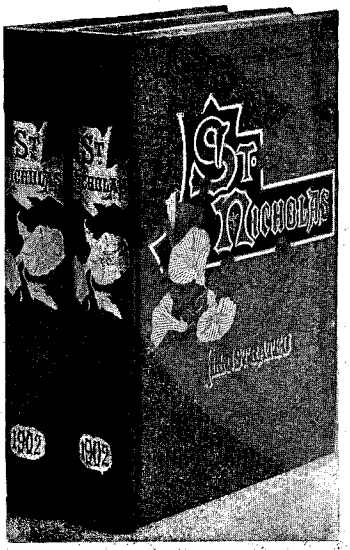

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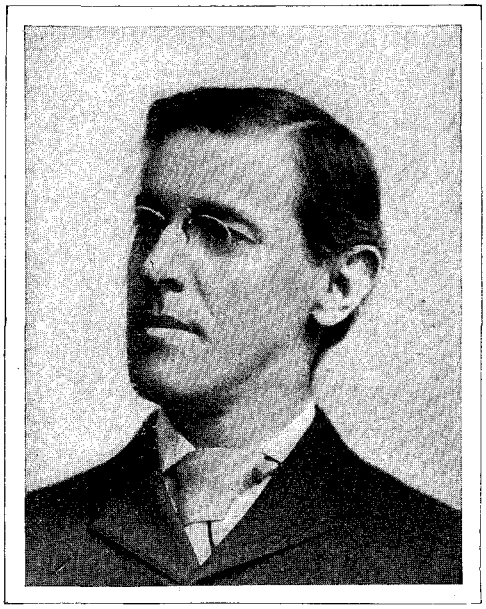

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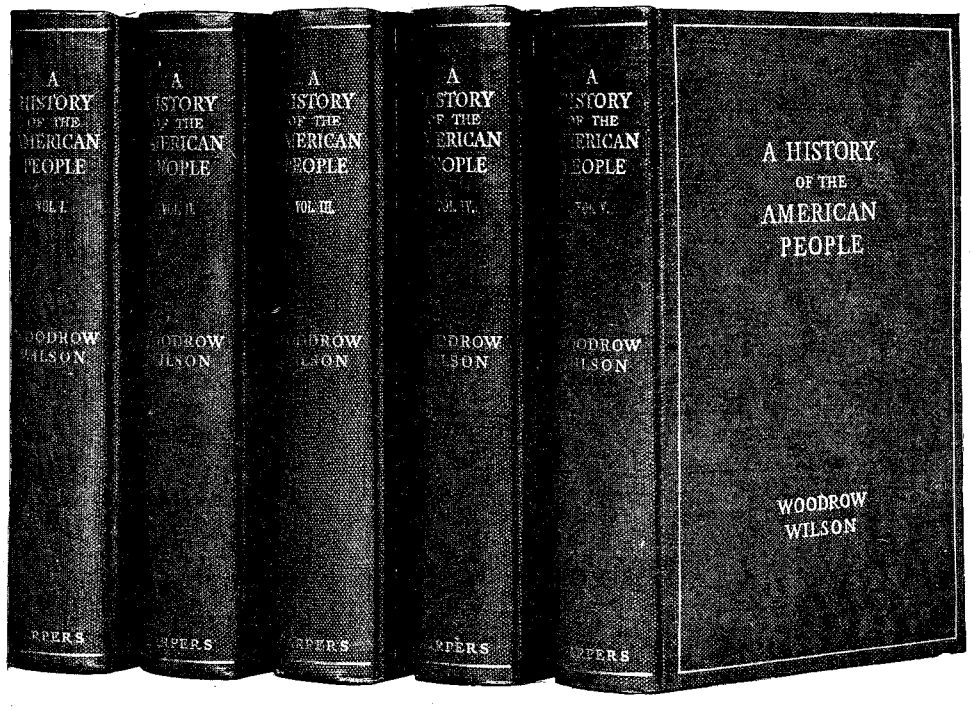

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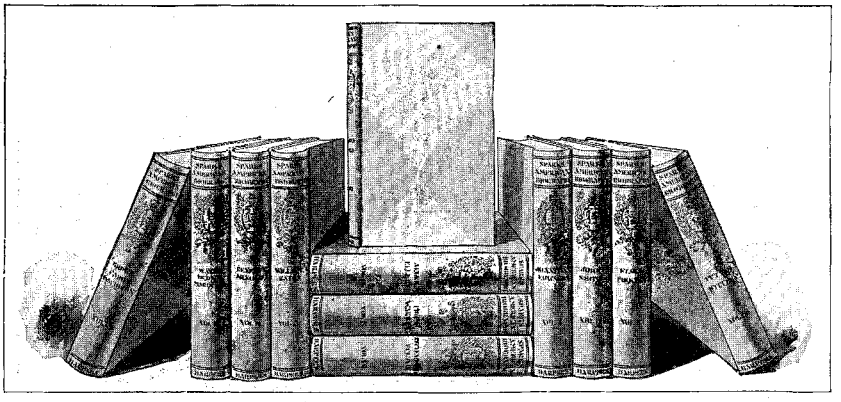

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: who was Speaker of the House of Representatives in the 51st, 54th, and 55th Congresses, was born in Portland, Maine, in 1839, and graduated at Bowdoin College in 1860. In 1865, he was admitted to the bar. He was a member in 1868-69 of the State House of Representatives, and in 1870 of the State Senate. From 1870 to 1872 he was Attorney-General, and from 1874 to 1877 he was City Solicitor of Portland. In 1877 he was elected to Congress, and was one of the most conspicuous figures in the House till 1899, when he resigned his seat. In 1896 Mr. Reed was a prominent candidate for the Presidency.

Cornelius Vanderbilt,
: the eldest surviving son of the late Cornelius Vanderbilt, was born in New York in 1873. He was educated at St. Paul's School, Concord, New Hampshire, and at Yale University, from which he graduated as Bachelor of Arts in 1895. For post-graduate work, Sheffield Scientific School afterwards conferred upon him the degrees of Bachelor of Philosophy and Mechanical Engineer. Mr. Vanderbilt was in the service of the New York Central and Hudson River Railroad for several years, being at different times in the Motive Power, Engineering and Comptroller's offices. For the past two and a half years, he has been engaged partly in conducting his own financial affairs and partly in the practice of his profession as a mechanical engineer, directing his attention chiefly to railway machinery. Locomotives, cars and various appliances from his designs and patents are in use on many of the most important railways in the country.

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David Bispham,

whose name is familiar to lovers of music in the Old World as well as the New, was born in Philadelphia in 1857 and educated at Haverford College. He began his musical career as an amateur, but genius would not be denied the fullest scope, and he was impelled to devote his life to the study and the service of music. At the age of thirty, he sought the advice of the most capable masters and applied himself to the highest aspects of the art which he felt called to follow. By reason of his lofty ideals and his constant endeavors to put them into practice, the man grew into the artist; and his success, when at length he appeared in public, was brilliant and complete. It was soon universally recognized that he was not only unexcelled in the music sung upon the concert platform, but that his powers fitted him to compete successfully with the best exponents of operatic characters as widely divergent as the poles and, histrionically, as directly opposed. Mr. Bispham occupies an undisputed position as the noblest baritone now to be heard on the operatic stage of England or America.

Susan B. Anthony,

the veteran reformer, was born eighty-two years ago in Adams, Massachusetts. She began her public life in 1852, when she aided in organizing the first State woman's temperance society. She took an active part in anti-slavery and woman's rights work, and during the Civil War she was Secretary of the Woman's National Loyal League. Since the war, she has devoted herself to the woman-suffrage movement. Miss Anthony was arrested and tried, in 1872, for voting under the Fourteenth Amendment to the Constitution. She has been engaged in eight different State campaigns for a Constitutional Amendment enfranchising women, and has been granted a hearing before committees of every Congress since 1869. With the late Mrs. Elizabeth Cady Stanton and Mrs. Matilda Joslyn Gage, she is joint author of "The History of Woman Suffrage."

Erving Winslow,

a native of Boston, was educated at the English High School in that city and at the Lawrence Scientific School in Harvard University. He served for some time as aid in the United States Coast Survey, and assistant in the Dudley Observatory, Albany, New York, and since 1868 he has followed mercantile pursuits in his native city. Mr. Winslow has long

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taken an active interest in the promotion of the public welfare in connection with municipal, State and national affairs. He is Secretary of the Anti-Imperialist League.

MARRION WILCOX,

after graduating at Yale in 1878, crossed the Atlantic to pursue special studies at Oxford, Heidelberg, Jena and Berlin universities. He originally chose the profession of law, but he has given himself to literary work, in which he has been engaged, as writer and editor, since 1893. Mr. Wilcox has just returned from Cuba where he spent a considerable time on a visit of observation.

CHARLES H. CRAMP

is president of the William Cramp & Sons Ship and Engine Building Co., the largest ship-building enterprise in the United States, which has built many of the finest naval and merchant vessels now afloat.

W. L. PENFIELD

graduated at the University of Michigan in 1870, and in 1873 he began the practice of law in Auburn, Indiana, where he acted as city attorney from 1876-80. At various times he was member of the Republican State Committee, Presidential Elector and delegate to the National Republican Convention. He sat on the bench as judge of the thirty-fifth circuit of Indiana from 1894 to 1897, and in the latter year he was appointed Solicitor to the Department of State.

CAPTAIN J. M. PALMER, U. S. A.,

a grandson of the late General John M. Palmer of Illinois, graduated from the City High School of Springfield, Illinois, in 1887, and from the United States Military Academy at West Point in 1892. In the latter year, he joined the Fifteenth United States Infantry as second lieutenant. In December, 1897, he was detailed as Professor of Military Science and Tactics at the University of Chicago, but he was relieved from that duty at the outbreak of the Spanish-American war. He served with his regiment in Puerto Principe, Cuba, and later in China, with the China Relief Expedition. Since August, 1891, Captain Palmer has been on duty at the United States Military Academy at West Point.

SYDNEY BROOKS

is an English journalist who has already contributed a number of articles on a variety of subjects to the REVIEW.

MARGUERITE MERINGTON

is of English and Irish parentage. Brought to this country

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as a child, she has passed most of her life in New York. Success as an amateur actress gave her an opportunity to go on the professional stage, but she turned her attention instead to play-writing. Her best known plays are "Captain Lettarblair," written for Mr. E. H. Sothern, "An Every Day Man" for the late Sol Smith Russell, and "Love Finds the Way," for Mrs. Fiske. She also wrote "Daphne," the libretto which took the prize in the *concours* held by the National Conservatory of Music in America. Miss Merington has contributed a number of stories, essays and poems to the leading magazines.

EDGAR FAWCETT

has been engaged in literature ever since he graduated at Columbia College in 1867. He has travelled extensively both in America and Europe, and he is at present residing in London. Among his works, which are voluminous, may be mentioned "Fantasy and Passion," "Songs of Doubt and Dream," "A Gentleman of Leisure," "An Ambitious Woman," "The Evil that Men Do," and "A New York Family."

JOSEPH S. AUERBACH

was graduated from the Academic and Law Departments of New York University in 1875 and 1877, respectively. He is a member of the law firm of Davies, Stone & Auerbach, who, in court and in private consultation, represent many of the larger corporate and financial interests centering in the city of New York.

HENRY C. ADAMS

comes of Puritan parentage. He graduated in 1874 at the Iowa College, Grinnell, Iowa, and took the degree of Doctor of Philosophy from Johns Hopkins University in 1878. After studying at Heidelberg, Berlin and Paris, he lectured for a time at Cornell, Johns Hopkins and the University of Michigan, and in 1887 he was appointed Professor of Political Economy in the last-named institution. In 1887, he became Statistician of the Inter-State Commerce Commission, a position he still occupies. In 1890 he had charge of the Statistics of Transportation Division of the Eleventh Census. Among his published works are "Taxation in the United States, 1789-1816," "The State in its Relation to Industrial Action," and "Science of Finance."

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PRESIDENT ROOSEVELT'S FIRST YEAR.

BY A PROGRESSIVE REPUBLICAN.

THERE is nothing more foreign to the character of President Roosevelt than periphrasis. He never goes around a difficulty either in phrase or in act. If there is anything or anybody in the way of his obvious duty, he demands to be let by. His mood is the imperative, and the tense of his speech and of his activity is predominantly the present. He has written of the past somewhat voluminously, yet he has ever interpreted it in the living of to-day. He does not transport himself and his readers back to Cromwell's day; he brings Cromwell down into his and their own time. I saw him once with a lot of Cromwell books about him; but he was not shut up in a dimly lighted study from which he could not look out upon the present; he sat upon the great porch of Sagamore, and in his riding breeches. Marston Moor was somewhere within the horizon, and Cromwell was being imagined into the perplexities of a twentieth-century soldier and statesman.

And he does not, with all his idealism, spend much time in the future. This I venture to say, not knowing. Indeed, it has been observed that he is short-sighted. More than one political oculist and some demagogic opticians have recommended the lenses of

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partisan sagacity and foresight. Occasionally, one feels that he has been practising the conjugation of his own personal future, but one cannot entertain such a thought for long. The theory of selfish prevision is untenable, unless one give a new and a broader meaning to the term "politic."

And yet, with all this lack of periphrasis of character and manner, with all his engrossment in the present and enjoyment of the immediate landscape of life, it is after all in the "periphrastic future," as the elder Hadley taught us to denominate the action immediately expected or intended, that the achievement of the first year of President Roosevelt's administration lies. But it is in the indicative mood of imminent achievement or expectation. It is not something that *may* be about to be, but that *is* about to be; it is the intended, and because his own fierce will intends, it is the expected. We of America are accused by British philologists of not knowing the difference between "shall" and "will," between simple futurity and the futurity of agency. It is not that we use "shall" for "will" in the first person, but that we make "will" do all the service. In other words, we are disposed, in our language at least, to lay all the future under personal obligation. I am not certain that this criticism may lie against President Roosevelt's grammar; but it is suggestive of his temperament. He is not disposed to let things come to pass, especially if they are not desirable things; he must be in alliance with the forces that prevent or delay the evil or hasten the good. I once heard ex-President Harrison say of him in his presence that the only occasion of disagreement between them, when Mr. Roosevelt was Civil Service Commissioner, was that he was impatient to reform everything, and between the sunrise and sunset of one day.

To say that "to be about to" is the greatest achievement of the first year's service of such a man is not to excuse or to minimize what has been accomplished in these months; it is rather to give them their potential value. We have often to go back when something has been achieved or a life finished to find the date of its inception or birth and mark it for remembrance because of what it potentially had; and I have no doubt that we shall have occasion in the future to turn back to the first year of Roosevelt for the incipiency of many things, though he has been faithful to the pledge of his succession. His policy has been the policy of his predecessor, but translated into terms of his own temperament.

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The duties of his office in peace are twofold: first, to execute the laws that have been made in the past, and, second, to recommend to the consideration of Congress such measures as he shall judge necessary and expedient for the future. To these duties he has added a third: to inform public opinion in the present. This last cannot be said to be an entirely new Presidential function, but I doubt if any of his predecessors has so deliberately or extensively or directly exercised it. We shall be best able to appraise his achievement in all its tenses if we consider these functions separately.

And, first, as to his purely executive activities, those which have to do with the enforcement of laws, and with promoting or maintaining the efficiency of the law and order machinery. No one has ever come into the Presidency with a better practical knowledge of the gear of government. He did not know the ways and the personnel of the legislative department as President McKinley did, and I imagine that the judiciary had for his mind, bent on equity and somewhat irreverent of precedent, many mysteries; but he did know the executive in all its complexity and detail. He had expert knowledge of the navy; he had with remarkable acquisitiveness amassed experience in the army; he knew the civil service from top to bottom; he knew, moreover, as State executive, of the correlation of Federal and State functions, and he had had a conspicuous part in working out a difficult municipal problem in New York. This, besides an apprenticeship in the New York legislature and a brief presiding over the United States Senate. All this is well known. I repeat it merely to emphasize his preparedness. I heard a distinguished American historian urge, when Roosevelt was elected Vice-President, that the office should be enlarged to give the government the opportunity to avail of his experience, that he should at least have a seat with the cabinet. The country shuddered a little when it first realized that it was to have this experience, but at the imagined peril of his impulsiveness and impracticalness. The former was indeed obscured in the fear of the latter. But the first year has made manifest the value of the experience and has largely dissipated the fear. He has carried up with him his technical knowledge; but he is as free from the trammels of the usual as a Kipling poem. If the civil service had the loquacity of one of that poem's engines, it could tell some brave

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stories of a Commissioner's fearlessness, and the ships that found themselves in Manila harbor could testify of what he is thought by some to lack,—foresight. If there were such a thing as a Presidential fitting school, the courses which President Roosevelt has taken would furnish it with a good curriculum. That he has used the specialized knowledge gained in these courses and used it with an eye single to the good of the service is the first achievement of his first year. Indeed, I think this is the greatest, actually and potentially.

A catalogue of his appointments would not furnish a list of eligibles for Sunday-school superintendencies or college professorships; but, in nearly every case, there has been a patent fitness of the man for the office. There are some seeming exceptions; but they only serve to emphasize the generality of fitness, and to give confidence that there are latent qualifications where the patent are wanting. The Rough Rider without the full quota of features, whom he nominated to a United States marshalship down in the Southwest, was probably as well-fitted technically for the discharge of the perilous duties of his office as some carefully selected Federal judge for the adjudging of guilt. At any rate, here was, at worst, only a mistake of judgment. Such a nomination may have been unwise; it was not immoral. As I remember, the President was unwitting of the homicidal record of this particular appointee, and when apprised of it withdrew the nomination; but I can believe that his confidence in a man, unprejudiced of political motive, will purge even a bad record.

This raises the question which Aristotle raised many centuries ago: Shall a man in illness be treated by a physician or by formulæ? Shall a citizen be governed of formulæ or by a ruler free to use his intelligence and his skill? The patient, he urged, was safer if he followed formulæ, for a physician might be bribed to poison him. And laws, being theoretically the embodiment of God and intelligence, were more serviceable and safe than the ruler who might be swayed by passion or bribed by partisanship. Yet, we should all prefer the services of a physician who both has knowledge of the formulæ and cannot be bribed to poison. And the confidence we have in President Roosevelt is that, while he may transgress the conventional formulæ in which we have been wont to trust for public health, he has an honest and abiding love for the people, which will not let him intentionally do harm. The

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success of the great Austrian surgeon who is at present operating in this country is ascribed to the fact that he dares to do what many know should be done, but under the restraint of timid practice do not do. President Roosevelt has done, in like manner, what another President, not from lack of knowledge, but from unwillingness to take the risk, doubtless would not dare. He has, for example, appointed one of the most notorious headsmen of an earlier administration to one of the most conspicuous of the Federal offices, the New York Surveyorship—the rock on which several political fortunes have before now been wrecked. He seemed to the lay citizen to be discrediting all his professions, and to be breaking the unwritten if not the written law of reform. I do not know if the appointee has been wholly regenerated in his civil service views, but I do know that the appointment is in its results regarded as one of the very best which the President has made. The operation was eminently successful, and under the nursing of the very efficient Civil Service Commission, a cure has been accomplished and the office improved.

Except the appointment just mentioned, no appointment has aroused more unfavorable comment than the "promotion" of Commissioner Evans. I once visited the battlefield when the veteran forces were openly attacking the man, and I know how fearlessly, and yet with how little malice, he maintained his position, President McKinley supporting him. One of the most agreeable of my memories of the late President is of a conversation, some months before his death, in which he reminded the Commissioner that we could not, any of us, have clear sailing all the time, and that consciously doing one's duty was better than mere popularity. Yet it is certain that President McKinley later promised the Commissioner release with honor from a struggle in which his service had been all that could be asked of one man. The attacks ceased, but before the exchange of commander could be made, the tragic event occurred at Buffalo. It can thus be appreciated under what pressure of obligation the successor to his promises and policies were placed. As to the result no one who knows or has ever seen the lawyer-poet-commissioner from Kansas will ask whether there has been any surrender to the fraudulent or to the camp-followers; nor will he doubt that every honest case will have sympathetic treatment.

President McKinley is doubtless the last of that great army

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upon whom the gray shadows of years have fallen, to hold the great office. His successor is of those strong men born in the days of stress; but he will be no less a friend of the old soldier because he did not fight with him, because he is of the new army that is to take up its march across the façade of the Pension Building. This I say in spite of the fact that he has been unwilling to except the veteran in government employ from all civil service restrictions. And in respect of pensions, he is as fiercely intolerant of fraud as he is generous toward desert. There will be no government funds invested in pensions for partisan purposes if he can help it. There will be no encouragement of parasitism under the plea of rewarding patriotism. Of this we may be certain. If the pension department is administered with somewhat more of the kindliness and appreciation of human nature, as we may well expect, it will not be with less of justice.

There has been a toning up of the whole civil service. Of this I am assured by one who knows better than anybody else. And his judgment has ample confirmation in that of others, if it is needed. Here and there, with and without the publication of new orders or the adoption of new rules, the President has strengthened, purified, raised the service. This was to be expected, and the expectation has not been disappointed. Partisan and selfish attempts to bring men into the classified service, under cover of some new law or order, have been frustrated; the rules have been extended in their operation; the Indian service has been improved and political considerations have been barred in appointments to positions in the dependencies. The army and the navy have been especially responsive to the President's policy of recognizing merit and fitness as recommendations for advancement, beyond influence of friends or mere duration of service.

And as to the rest of the Federal service, the President's law of selection (which so commends itself to one's sense that it should be called "natural selection") is certain to assist in the evolution of a most wholesomely honest type of official—his self-imposed rule to employ no man for the counsel of the country whom he would not employ for his own counsel, his insistence that those recommended for appointment shall come up to his standard. This at first gave discomfiture to some who asked appointments to help them in payment of political debts, or who wished to borrow of Executive patronage for personal investment.

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The President has not been disposed to go outside of his party nor has he been disinclined to accept the suggestions of Senators, but he has demanded in every case good security, even of his best friends, that is, assurance of fitness. This is, of course, the only safe policy in politics as in business, as we must come eventually to recognize.

The type that is being evolved is not only an honest type, but a virile, robust type. There is a good deal of the primal man in the President. One can readily in imagination put him into a neolithic environment. Some one has recently likened him to the mythical Prometheus, who, for all he was a god, had such human sympathies and traits that he was willing to endanger his life and his prerogative to give fire to mankind. He has the quality of virtue in its original essence. And the men whom he selects are likely to share, in spirit if not in body, his characteristics. I have only recently heard the eminent, scholarly jurist whom he has nominated to the Supreme Bench, speak at sixty-five of the fierce joy of struggle, and remind his youngers that the line of progress in morality, if not in physics, is the line of greatest resistance. Especially are these valiant qualities to be found in those whom the President insists upon selecting personally, the incumbents of the most important and highest Federal offices. And, naturally, they characterize his cabinet. Those whom he has chosen are men of energy and executive capacity, as likely as their chief to use the causative future. I have seen the sometime Governor of Iowa at his tasks at daybreak, and he has carried these same aggressive industrious habits into the Treasury. There is, if anything, too little repose.

So much for Theodore Roosevelt's purely executive achievement. It is impossible of estimate. It is an influence intangible and pervasive. Every effort is made to keep good efficient men in office, and to keep the other sort out. Nor is the President impulsive in his selections, all impressions of his sudden movements to the contrary. No one is more conscientious. His long experience has been concentrated into instinct, which enables him often to make up his mind more quickly, but he does not act from unintelligent or uninformed impulse or erratically. He has not only strengthened the human side of the service, but he has put the laws to the test of their capacity. Some have thought him lawless; but this is not a just criticism; if it

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have color of justification, it is because of his possessing love of justice and his striving ever to keep the statutes from shirking their whole duty. There has been, and there is to be, no evasion of obligation, no temporizing, no pandering.

But he has a still higher and a broader duty, though it is one not peculiar to his office. He not only executes the laws; he contributes to their making. He is both President and Prime Minister—the chosen head of the people and the acting head of the party. Former Presidents have been usually content with their two appointed constitutional functions. President Roosevelt has extended his personality through public speech in direct effort to influence public opinion and, through public opinion, legislation. I have thought of President Cleveland as hanging up the telephone receiver when assured of favorable election returns and of the confidence of the people, and then acting upon his own best judgment for them in a sort of paternal way. It is the popular impression that President McKinley was too attentive to the telephone; but his use of it accorded with his theory of his office, and he was not the less strong for living up to his theory. President Roosevelt has a democratic sub-consciousness. His humanistic instincts are keen, and interpret popular feeling with accuracy. The definite messages that come to him are, like those of wireless telegraphy, only those which the receiver is attuned to register. All else passes by. He accepts counsel of political bosses, but the counsel which he follows is that which his high motive catches. It may be the political bosses' counsel; it may not be. He hails policies before they come into sight. But the messages he repeats at the level of men's ears. His speech is homely; it is void of grace, but it is effective. He does not speak merely in felicitous phrase; he must proselyte. He is like one of those old French pioneer priests in the Northwest who carried his altar upon his back through the forest and across the plains, and whenever he came to a settlement put it down and celebrated mass.

We may question whether this is not an exceeding of constitutional prerogative. But the fact remains that he has made use of it. He has spoken to the people on "the state of the Union," and recommended to them measures "necessary and expedient;" and through them he delivers messages to a Congress not altogether sympathetic. Yet, in doing this he has divided his party; at the

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same time he has temporarily strengthened it. The voters have been put in a position of inability to denounce both the President and the party. There has been, however, no deceit, no trick. The President, whatever else he is, is not a prestidigitateur. He has no cabinet mysteries. But the recent elections have left the ready reckoner in some doubt. Has it been a vote for tariff reform, or for a rigid, unyielding maintenance of present schedules? Have the people declared for restraint of trusts or in favor of letting them go their own economic way? And what of reciprocity? I asked a prominent statesman these questions a few days ago, and he replied in the language of some other sage observer that, "while there are many as honest and as able men in the country as Mr. Roosevelt, the people do not think so." It was largely a vote of confidence in the President. The country, approving his honest general intentions, passed to the order of the day.

There can be no question that there has been intended by many an endorsement of his specific proposals: Cuban reciprocity, the putting of the tariff out of politics (on a protectionist basis), and further effort to restrain the trusts of any evil propensities; yet he received indirectly the cordial support of great numbers who have only a platonic interest in these policies. The provisional settlement of the great coal-strike visualized him to the great working classes as their champion, though he entered merely as the representative of the suffering consumer. Moreover, his activities have been constantly dramatized by circumstance; ever since he swung down the mountain in that famous ride a year ago he has followed where his sense of justice has led; and the setting and action have been all that the most imaginative could desire. If the capitalists in the pit have been sometimes uneasy, the gallery has not let pass an occasion for applause. And the occasions have been many; his being hurled near death in New England, his standing through a long address unflinching and going then to an operating table; his forgetting his wound in his efforts as peace-maker between the coal operators and miners,—all these incidents have given the color of romance and knight-errantry to the prosaic office and heightened the appeal of his character. What the effect may be upon the future we cannot now reckon, but he has kept his audience with him so far, and unsympathetic capital will yet know how genuine a friend he is.

This leads to his third achievement. His popularity is valid,

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aside from its influence upon personal character, only as it gets his policies incorporate in law. He has enjoyed no such relationship with the legislative body as did his predecessor, who had been graduated from it into executive service, and whose relationship with it was close, even affectionate—one which made both the executive and the legislative insensible to the division line. There can be no question that in the end the late President was most successful in getting his wishes recorded; but there was, nevertheless, a serious encroachment of the legislative upon the executive, and the independence of the Chief Executive was menaced. The coming into the Presidency of one who is a comparative stranger to Congress has necessitated the putting up of the line fences again, and they are not likely to be broken through or moved—at any rate toward the White House. These relations will undoubtedly affect the resultant legislation. Yet it is a mark of the confidence of Congress in the President that even the opponents of the Panama route were willing to vote for the isthmian canal bill in its final shape. The success of the arid-land legislation is also to be credited in good measure to the support of the President. It was his spirit that helped us to keep our pledge in quitting Cuba; it was his spirit that prevented our taking the slightest advantage of our strength there; and it is to be by his effort that reciprocity will finally be granted. His influence is manifest, too, in our Philippine policy. In the immediate future we may expect legislation in further extension of the Sherman Law, along lines suggested in Secretary Knox's recent address, for the President has evidently decided not to wait for a Constitutional Amendment. In the remoter future the tariff will undoubtedly be modified to make it consistent with changed conditions; and in these policies a large majority of the voters will undoubtedly support the President, even to the breaking up of old party lines.

This seems all inadequate to sum up the "achieving" of the first year of the President's activity. The only feeling one can have who contemplates it is that to which George Douglas Brown, the promising English writer who died a few days ago, is said to have expressed: "Lord, how little we writers amount to compared with those who *do* things!"

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MR. ROOSEVELT'S FIRST YEAR IN OFFICE.

BY A JEFFERSONIAN DEMOCRAT.

BEFORE we undertake to discuss President Roosevelt's first year in office from the viewpoint of a Jeffersonian Democrat, we naturally shall be expected to define what we mean by Jeffersonian Democrat. Perhaps we can best arrive at an acceptable definition by a process of cancellation. We certainly do not mean by the term Jeffersonian Democrat a citizen who, when confronted by the political and economical problems of the twentieth century, declines to make any effort to solve them, unless he can find in the acts and words of Thomas Jefferson, who died some three-quarters of a century ago, solutions propounded for precisely similar problems. The utmost for which the most devoted disciple of Jefferson would contend is that, in our endeavor to solve problems which were never presented to Jefferson himself, we should be guided by the general principles which he enunciated, and his faith in which was attested by his adherence to them in practice.

The question at once arises, What were those general principles, and were they all deemed equally binding by their author? It will be obvious to the student of Jefferson's career that, among the principles which he formulated, some were regarded by him as primary and some as secondary, and that, even among those at first accepted by him as primary, there were some which, under the pressure of momentous exigencies, were superseded by another broad and elastic principle which he recognized as fundamental. Before we go any further, it may be well to pause for a moment and recall the facts which indicate how, beneath Jefferson's seeming inconsistencies, lay the sovereign faculty of statecraft, to wit: the faculty of grading, subordinating and adjusting principles so as to keep always in view the paramount aim of statesmanship, the assurance of the safety, welfare and progress

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of the state. That Thomas Jefferson, were he living to-day, would show himself qualified to deal with the problems of the twentieth century, with the evils imputed to the trusts and with the disputes between labor and capital, will be evident, we think, if we call to mind his method of dealing with the questions raised by the projected purchase of the Louisiana territory, and if we also call to mind, what is more generally overlooked, the extraordinary change of attitude toward Great Britain which he underwent during the quarter of a century preceding the promulgation of the Monroe Doctrine.

Two questions of extreme importance in the eyes of a constitutional lawyer were involved in the purchase of the Louisiana territory from France. First, under the Federal Constitution, as it stood, had the Federal Government any right to make such a purchase? Secondly, the purchase being made, had Congress the power, under the Constitution, to enact a government for the purchased territory which should withhold from the inhabitants thereof the rights enjoyed by the citizens of States within the Union? The answers returned by Jefferson to these questions were very different from those which might have been expected by persons who considered simply the general principles previously advocated by him, and who lost sight of the fundamental aim for which those principles had been propounded, namely, the safety, the welfare and the development of the United States. Up to 1803, Jefferson had been what was called a strict constructionist; that is to say, he held that the powers asserted by the Federal Government must be distinctly and unmistakably expressed in the text of the Constitution, and not deduced therefrom by lax and subtle interpretation. He had formulated the principle of strict construction, because, during the administrations of Washington and John Adams, the most formidable danger by which, in his opinion, the country was threatened was the dilapidation of State Rights through the intrusions and usurpations of Federal authority, intrusions and usurpations based upon the opposite principle of loose construction. That danger seemed averted when Jefferson became President on March 4th, 1801.

Within two years the ill-cemented confederacy was beset with an even graver peril. The whole right bank of the Mississippi River, including all the mouths of that vast waterway, the use of which was indispensable to the American settlers in Ohio, Ken-

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tucky and Tennessee, had passed into the hands of France; that is to say, had become exposed to the attacks of the arch-enemy of France, Great Britain, which, being omnipotent at sea, could never be dislodged were its grasp once laid upon the outlet of the Mississippi Valley. Jefferson knew it to be probable, if not absolutely certain, that, if the British flag was planted at New Orleans, the inhabitants of the region between the Alleghanies and the Mississippi would be driven, by economic motives of irresistible force, to resume allegiance to the British Crown. In a word, it was clear to him that the safety, the welfare and the progress of his country were at stake. What was to be done? He did not believe that the Constitution, as it stood, gave him, or gave Congress, the power to purchase the Louisiana territory, and he knew that there was no time to await the slow and dubious procurement of a Constitutional Amendment. In the face of such an exigency, he did not hesitate to abjure for the moment the principle of strict construction, and this he did on the ground that *cessante ratione cessat et ipsa lex;* or, in other words, the national salvation having ceased to require, or even to permit, the principle of strict construction, that principle should be suspended. In fine, Jefferson, like every other statesman worthy of the name, was no idolater of his own formulæ. He acknowledged that principles of political interpretation and policy are made for men, not men for principles, and that there are crises, like that which loomed upon him in 1803, when *salus reipublicæ suprema lex;* when a nation's salvation is the supreme law.

So Louisiana was bought. Then came the question, How shall it be governed? The white inhabitants of the newly-acquired region, relatively few compared with the Indian element of the population, were of French or Spanish descent. Most of them were bitterly hostile to the cession of Louisiana to the United States, and, even had they regarded favorably the transfer of sovereignty, they would still have been disqualified, through their life-long subjection to an autocratic system, for the immediate exercise of self-government. Some method of administration, however, had to be forthwith adopted if the Hispano-French community was to be rescued from anarchy. In this predicament, Jefferson prepared a plan for the government of the new territory which ignored the condition proclaimed necessary by the Declaration of Independence, to wit, the consent of the governed.

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His scheme conceded to the people of Louisiana no voice in the control of their own affairs, but endowed the President and his appointees with the monarchical authority exercised by the Spanish Viceroy. To those critics who insisted that the plan was unconstitutional, Jefferson made no reply in any of his messages to Congress; but his supporters answered that the Constitution was made for the States, and not for the Territories, and that with the Territories Congress could do anything it pleased. Jefferson himself justified the project of territorial government on the ground that, in providing an immediate remedy for an urgent need, he was seeking the good of the American people and executing their will.

Nor was it by pressing exigencies alone that Jefferson was led to reconstruct his own opinions. In the re-adjustment of his views he was influenced at one important conjuncture by a wise forecast of the future. In Washington's second administration, he had been a strenuous opponent of the Jay Treaty, on the score of its concessions to Great Britain; and, throughout the administration of John Adams, he denounced the pro-British sympathies of the Federalist party. Throughout the eight years of his Presidency, he missed no opportunity of exhibiting dislike and distrust of England, for which, it cannot be denied, he had sufficient provocation. Within fifteen years, however, after he took leave of the White House, his feeling with reference to that country underwent a radical change. In a letter to President Monroe, penned in the autumn of 1823, when the expediency of proclaiming the Monroe Doctrine was under consideration at Washington, he not only signified approval of such a declaration, but added some memorable words which attested his freedom from rancor, his openness of mind and the far-reaching scope of his prevision. He recognized that the Canning of 1823 was not the Canning of fifteen years before, and that circumstances were impelling England toward Liberal ideas and sentiments, thus making her a fit associate and an invaluable comrade for the United States. Said Jefferson:

> "Great Britain is the nation which can do us the most harm of any one or all on earth, and, with her on our side, we need not fear the whole world. With her, then, we should most sedulously cherish a cordial friendship, and nothing would tend more to knit our affections than to be fighting once more side by side in the same cause."

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It seems plain, then, that Jefferson, were he alive to-day, would be pre-eminently qualified to deal with the problems that confront us, by the breadth and penetration of his mind, by his subordination of formulated principles to the aims for which they were devised, and by the tenacity of his adherence to the paramount purpose of all government, to wit, the salvation of the nation. But, while Jefferson would be ready to abjure prejudices and forget injuries, to accept at critical conjunctures a loose instead of a strict construction of our Federal organic law, and, even, under the pressure of irresistible circumstances, to amend or to defy the Constitution, it is equally certain that to extreme and extra-legal measures he would make recourse in no spirit of giddy and blind bravado, but with quivering reluctance and anxiety, and only when, so far as his eye or any human eye could discern, no other and less dangerous method of coping with a pressing exigency seemed attainable. Assuredly, he would never advocate a Constitutional Amendment transferring to the Federal Government rights reserved to the States, until he had exhausted the capacious powers of taxation, Inter-State Commerce regulation and tariff manipulation conferred upon the Federal Government by the Constitution, as construed by the United States Supreme Court; much less would he presume to violate, either openly or by implication, the plain purport of the Constitution, or to initiate by a vicious precedent the growth of a specious Cæsarism warranted by no organic law, formulated in no statutes and reviewable by no tribunal.

I.

We have attempted to define the viewpoint of a Jeffersonian Democrat, by suggesting how Jefferson himself, were he now living, would approach the problems of to-day. Having cleared the ground to this extent, let us look at the salient, and especially the pivotal, incidents in Mr. Roosevelt's first year of office. About the rightfulness of his request that Congress should make such a reduction of the duty levied in our ports on Cuba's principal export staple, sugar, as would assure to the island a measure of prosperity, there ought to be no doubt in any quarter. So far as President McKinley and his Secretary of War were competent to bind their fellow-citizens, they imposed on us a debt of honor when they promised Cuba a material reduction of the duty on her sugar, in consideration of the important concessions to the United States

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embodied in the so-called Platt Amendment. When Congress adopted that amendment, it did so with knowledge of the consideration promised, and, therefore, contracted a moral obligation to fulfil the agreement. So much is admitted, even by our native producers of beet-root sugar, who, although they demanded in the last session of Congress that the whole duties fixed by the Dingley Tariff should continue to be levied upon Cuban sugars, suggested that a sum equivalent to the money value of the proposed reduction should be paid from our Treasury to the insular government. That we owe a debt to Cuba is, therefore, undisputed, and the recognition of the justice of the President's determination to discharge it, a recognition attested by the legislatures of the States most interested in the rival beet-root product, renders the ratification by the Senate of a treaty granting a material reduction of the duty on Cuban sugars extremely probable, if not certain. No candid student of Jefferson's career and character can doubt how he would act in such a matter, and we take it for granted that not even indirect opposition will be offered to the treaty from the Democratic side. So far, then, as his treatment of Cuba is concerned, Mr. Roosevelt deserves to be honored by his countrymen, irrespectively of party distinctions.

The same thing may be said of the position taken by the State Department under Mr. Roosevelt's administration with reference to China. Toward that country our Federal Government has continued to pursue a policy of forbearance and magnanimity. Our State Department from the outset has contended that the aggregate indemnity imposed on China for the Boxer outrages was inordinate, and it has listened to China's plea that to pay the debt in gold instead of silver would out-tax her fiscal resources. It is understood that we have signified a willingness to accept our share of the indemnity in silver, and, influenced by our example, Germany has consented to refer the question raised by China to the Court of Arbitration at The Hague. As Germany had hitherto shown herself disposed to insist upon the payment of the indemnity in gold, we may presume that all the Powers concerned will now acquiesce in the submission of the question to an impartial tribunal. This may seem to some persons a minor incident, but it reflects high credit on the Roosevelt administration, and it is certain to augment the moral authority possessed by our diplomatic representatives at Peking.

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There are two other particulars in which the attitude maintained by Mr. Roosevelt during his first year of office should command the hearty approval of all clear-sighted lovers of their country. He has followed both of the counsels earnestly offered by Jefferson in the above-mentioned letter to Monroe. He has made plain his purpose inflexibly to uphold the Monroe Doctrine, so far as that doctrine binds us to prohibit European States from acquiring any new foothold on the American Continent; and, at the same time, he has missed no opportunity of evincing appreciation of the exceptional value of England's good-will to the United States. This he has done without provoking any distrust or jealousy on the part of other European Powers. To have commanded the respect and retained the friendship of all the great maritime nations while knitting with peculiar closeness the ties of amity with England, is an achievement that deserves more notice than it has generally received; and, however skilful and effective may have been the assistance given by his chosen Secretary of State, the credit of it belongs, primarily and mainly, to the President himself.

II.

We pass to the great economic questions that occupy the public mind throughout the United States: the tariff, the trusts and the disputes between capital and labor. These are the most momentous questions by which our country has been confronted since the problem of negro slavery was solved by the Civil War. How has Mr. Roosevelt dealt, or proposed to deal, with them? The President is not an advocate of a tariff for revenue only; much less is he a free-trader. He may fairly be described as a moderate or reasonable protectionist: That is to say, we understand him to favor the protection of so-called infant industries against foreign competition in our home market, until such industries have grown strong enough to be self-protecting. We do not understand him to assert that protection in the home market should be given to giant industries, which have proved themselves able to undersell European competitors in foreign markets. It is, on the face of things, unjust that the American consumer should be forced to pay for a given article more than the American manufacturer thereof requires a foreign customer to pay for a like commodity. In every such case Mr. Roosevelt, unless we have misread him, thinks that the tariff should undergo revision. We do

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not underrate the value of such a readjustment, neither do we question the sincerity of the President's desire to bring it about. So far as we can judge, however, from the references to the subject in the speeches made by him during the last year, his efforts in that direction will be confined to the recommendation of a Tariff Commission, to be appointed for the purpose of inquiring what duties may be reduced without exposing American manufactures to competition in the home market. It is manifest that no immediate relief can be expected from such a commission. No report could be looked for before the beginning of the first regular session of the Fifty-eighth Congress in December, 1903; and, even if most of the proposed reductions of duties should ultimately prove acceptable to a majority in both Houses, they are certain to encounter opposition so violent that definite legislation seems improbable during the session of Congress that precedes the next Presidential election. If such a miscarriage of the President's revisionist programme could be charged to the obstruction offered by a Democratic majority in the House of Representatives, the people would give the President full credit for excellent intentions. As things are, the President's party, having secured a majority in both branches of the next Congress, the mass of the voters will be apt to hold him personally accountable for the failure of his plans. They cannot be expected to appreciate the extent to which Mr. Roosevelt may be thwarted by certain Republican leaders, whose unfriendliness to him will continue to be studiously concealed, so long as he retains his present popularity. With his chances of success, however, in the next Republican National Convention, or at the ballot-box—chances which may be sensibly affected by the measure of fulfilment which his revisionist promises shall have received—we are not for the moment concerned, for we are here discussing only his first year in office and its immediate significance. So far as he recognizes the duty of pruning the excrescences of the Dingley Tariff, he indubitably represents the progressive element of his own party, and must be acknowledged by candid Democrats to have taken a step in the right direction.

III.

When we come to the President's treatment of the economic and political questions raised within recent years by the vast conglomerations of capital in many fields of industry and trade, we

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find it impossible to speak without reprobation of one of the remedies proposed for the evils imputed to the trusts. In the speeches which he made during the summer in New England, he expressed the opinion that the dangers to which the American community is exposed through abuses of the power pertaining to colossal corporations could be efficiently and lastingly averted only by a Constitutional Amendment, giving the Federal Government the right to supervise and control the within-State business of corporations, a right which has come to constitute one of the most precious assets reserved by the Constitution to the States. We by no means concur with those who assert or insinuate that, in putting forward this proposal, the President was guilty of deliberate duplicity, or, in other words, of a desire simply to amuse his auditors with the suggestion of an expedient known by him to be impracticable. That no such Amendment of the Constitution could be procured, we believe, indeed, to be true. Since the changes in our Federal organic law, which were required for the solution of our negro problem, were brought about in the years following the Civil War, we can recall out of the multitude of Constitutional Amendments submitted to Congress only one—that relating, namely, to the election of United States Senators by the people instead of by the Legislature of a State—that has succeeded in passing the House of Representatives. The Committee of the Senate to which the Amendment was referred has never yet reported, and nobody imagines that the Amendment, if favorably reported, would be sanctioned by the requisite number of Senators. Even if thus sanctioned, the adoption of such an Amendment by the requisite number of States can hardly be looked upon as within the bounds of possibility. If this be true, even of an Amendment whose relation to the fabric of State Rights is by no means clear to the ordinary voter, how utterly visionary is the notion that the States would ever consent to surrender a power so plainly interwoven with their most vital interests as the right to control and regulate the within-State business of corporations. In the eyes of a Jeffersonian Democrat, the mere mooting of such a surrender would be abhorrent, were it not perceived to be entirely chimerical. Not until the States are ready to renounce their separate existence, to dismiss State Legislatures and judiciaries, and to accept Governors at the hands of the National Executive, as prefects are appointed in France,

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will they take a step so subversive of rights hitherto held sacred, so fatal to the autonomy needed for the habit of self-government as would be the Constitutional Amendment which Mr. Roosevelt said in New England he was inclined to think indispensable. That the President could ever have deemed such an Amendment indispensable indicates that he is essentially a Hamiltonian Federalist, and that he would see nothing alarming in such a centralization and unification of the American Union as we behold in the French Republic. That he also could for a moment have deemed such an Amendment practicable merely proves that he earnestly desired it: men are apt to believe in the feasibility of what they strongly wish for.

If, in his search for a means of curbing the trusts, Mr. Roosevelt had confined himself to his proposed Constitutional Amendment, we should not have disputed his sincerity, but we might have questioned his sanity. Fortunately for his reputation as a sound and clear-headed man, he fell back eventually on the idea mooted or supported by his Attorney-General, that in the Constitution as it stands might be found instruments quite adequate to such repression of the trusts as would debar them from becoming a source of serious danger to the interests of the community at large. The Constitutional provisions which Mr. Knox has in mind are, of course, those which give the Federal Government the power to impose a tariff on imports, to regulate Inter-State commerce and to raise money by internal taxation. We need not point out that the admission of foreign commodities duty-free would prevent the native manufacturer of similar articles from extorting inordinate prices from the American consumer. The scope of the other Constitutional powers mentioned was demonstrated by the drastic effect of the Federal legislation regarding oleomargarine, legislation which, while not professing to interfere, with the production of that commodity within a given State, rendered its production relatively unprofitable by the conditions imposed on its transit from one State to another. Attorney-General Knox contends that, if Congress, under its power to regulate Inter-State commerce, may utterly destroy a combination and forfeit its property in Inter-State transit, as the Sherman act provides, because the combination restrains such commerce, Congress can, in the exercise of the same power, deny to a combination, whose life, emanating from a State, it cannot directly reach, the

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privilege of engaging in Inter-State commerce except upon such terms as Congress may prescribe to protect that commerce from restraint.

It is, of course, for the United States Supreme Court to determine what Federal legislation would be covered by the Constitutional powers of Congress to regulate commerce and to raise money by internal taxation. Whatever may have been the case a century or three-quarters of a century ago, no Jeffersonian Democrat would now think of disputing any interpretation of the Constitution which should have received the sanction of that august tribunal. If it be true in the judgment of the court of last resort that the Federal organic law confers upon Congress all the powers needed to avert the evils imputed to the trusts, by all means let those powers be used, provided the existence of the evils can be conclusively proved. For a discreet and far-sighted use of those powers the Federal Government will be held to a strict accountability, intelligent men being thoroughly alive to the fact that the tendency of capital to concentration is one of the economical characteristics of the age, and that the nation which, in the process of abating its incidental mischiefs, sacrifices the benefits of that tendency, will disqualify itself for coping with its rivals in the markets of the world. It is, in truth, a formidable weapon which Attorney-General Knox would put in the hands of the Federal Government, and he who uses it must needs be careful, lest, in lopping off branches ostensibly decayed, he strike at the very life of the tree.

IV.

Among those who believe in a strict construction of the Federal Constitution and in the anxious safeguarding of all the rights reserved to the States by that instrument, even Mr. Roosevelt's proposal of the Constitutional Amendment to which we have just referred excited less surprise and dismay than his appointment of the Anthracite Commission. Here was a dispute as to rate of wages and hours of labor between an organized body of miners on the one hand and their employers on the other in the State of Pennsylvania. It is universally acknowledged that, so long as public order was undisturbed and no Federal or State law was broken by either of the parties to the dispute, neither the Federal Government nor the State Executive of Pennsylvania had any right to interpose for the purpose of compelling or promoting an

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agreement. It is probably true, indeed, that the State of Pennsylvania, in the interest of the consumers of anthracite coal, might, in the exercise of the right of eminent domain—which belongs, not to the Federal Government, as ex-Governor Hill of New York has asserted, but to the State—have taken possession of the mines and worked them; for the exercise of that power, however, an act of the State Legislature would have been required. In that dispute between employers and employed within the boundaries of a State, the Federal Chief Magistrate had no power to interfere, unless an outcome of it should be a disturbance of public order which the State Executive proved incompetent to quell, and for the quelling of which he requested the assistance of the Federal Government. In that case, and that only, Mr. Roosevelt would have had the right, and it would have been his duty, to send Federal troops into Pennsylvania, for the exclusive purpose of enforcing tranquillity and obedience to law. Even then, he would have transcended his powers had he presumed to take any part in the settlement of the controversy between the miners and their employers. In the case supposed, the President's function in the State of Pennsylvania would have been, not that of a judge or arbitrator, but solely that of a police officer.

So much is incontrovertible, not only from the viewpoint of a Jeffersonian Democrat, but also from that of every Republican who recalls the text of the Constitution. Now, let us see what happened. Although Governor Stone of Pennsylvania made a tardy and inadequate attempt to repress disorder in the anthracite region, the non-union miners who were exercising their constitutional right to work, continued to be subjected to intimidation and violence—nay, even to wounds and death. Inasmuch, however, as Governor Stone forebore to ask for Federal assistance, the President of the United States had not the shadow of a lawful pretext for interposition. It is conceivable, indeed, that, under such circumstances, had Thomas Jefferson been the Federal Chief Magistrate, and had his friend and disciple, Monroe, been the Governor of Pennsylvania, the former, in a private and strictly unofficial capacity, might have pointed out to the latter that the non-union miners were suffering a grievous and intolerable wrong, and that, if the forces of the State were too weak to redress it, it was the right and the duty of the Governor to ask the

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President for aid. If Mr. Roosevelt had confined himself to making such a private suggestion to a fellow-Republican, Governor Stone, he would simply have expressed the conviction, shared by every right-minded citizen, that public order ought to be maintained. Mr. Roosevelt did nothing of the kind, however. He has at no time indicated the slightest sympathy for the wrongs of the non-union workers. He has not put forward the necessity of shielding them from persecution as a pretext for the appointment of the Anthracite Commission. He has not recognized the existence of the non-union workers as constituting a third party to the anthracite controversy. The sole pretext assigned for his interposition is that the habitual consumers of anthracite were in need of an immediate supply of that combustible. To that end he has himself recognized the United Mine-Workers as one of the parties to the anthracite controversy, and he has virtually coerced the mine-owners into a recognition of the same organization, with which, in a corporate capacity, they had hitherto refused to deal. He has, further, coerced the mine-owners, who, previously, had declined to allow third persons to say what prices they should pay for labor, into acquiescence in the proposal made by the United Mine-Workers, that the questions relating to wages and the hours of labor should be referred to a Commission appointed by the President. On that commission the mine-owners, the United Mine-Workers and the consumers of anthracite are all represented; but the non-union workers, who bore the brunt of the struggle, and who deserved protection at the hands of the Federal Government, if the State could not afford it, have no representative at all.

As Mr. Roosevelt's appointment of the Anthracite Commission was followed by a cessation of the strike, and a speedy delivery of hard coal to consumers, it has been received with a great deal of applause on the part of many light-headed persons. It was not, indeed, to be expected that men who have failed to read or to remember the Constitution, and who have not reflected on the specific aim and the carefully defined limitations of the Federal Government, would appreciate the novelty and the danger of the precedent established by our Chief Magistrate. Mr. Roosevelt, it is true, is careful to say that the Commission is extra-legal, unauthorized by the Constitution, and, therefore, destitute of any power to enforce its decisions; that, moreover, the Com-

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missioners have been appointed by him in his private capacity, and, consequently, had not needed the consent of the Senate. It is, nevertheless, notorious that Mr. Theodore Roosevelt, in his capacity of private citizen, would have had no more power to settle the strike than any other man in the street, and that it was exclusively to him, in his official capacity as tenant of the office of Chief Magistrate, that deference was paid, alike by the mine-owners and by the United Mine-Workers, a deference followed by an agreement to abide by the decision of Commissioners appointed, not by citizen Roosevelt, but by the President of the United States. Here, then, is a power voluntarily ceded to the President, because he is President, and for no other reason, legal or extra-legal—a power in the exercise of which he is controlled by no Constitutional restraint, and the misuse of which can be punished neither by Congress nor by any other tribunal. Is it not obvious to every student of history that it was by the initiation and accumulation of just such precedents, each plausible and popular in itself, that the extra-legal fabric of Cæsarism was gradually erected in the Roman Republic, and that the non-statutory power of a Prime Minister has silently grown up under the shadow of the British Constitution?

We did not have long to wait before the danger of this precedent was brought home to law-abiding people throughout the United States. It was soon made evident that, if popular favor is to be gained by innovations for which there is no warrant in the Constitutions of the Union or of the several States, Mr. Roosevelt would not be suffered to retain a monopoly of such expedients. That both political parties would bid against each other for the support of ignorant voters by extra-legal proposals was demonstrated at the Democratic State Convention of New York, which inserted in its platform a demand that the Federal Government should invade the State of Pennsylvania and seize and operate the anthracite coal mines by virtue of an alleged right of eminent domain, which was expressly withheld by the framers of the Federal Constitution in 1787. Scarcely, moreover, had the President practically coerced mine-owners into an agreement to abide by the judgment of arbitrators appointed by himself, than the Connecticut Federation of Labor went further, and declared that the strikers ought to be supported during their strike by the State.

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What view, then, is likely to be taken of Mr. Roosevelt's first year in office by old-fashioned Jeffersonian Democrats? His treatment of the Cuban reciprocity question, his forbearance toward China, his firm adherence to the Monroe Doctrine, and his cordial attitude toward England will be applauded. His apparent desire to revise the tariff will be commended. His ultimate exhibition of a wish to curb the trusts through the exercise of powers conferred by the Constitution, rather than through a Constitutional Amendment will also be regarded with approval. On the other hand, his appointment of the Anthracite Commission should be looked upon by all lovers of our Federal institutions, not only with profound regret, but with severe disapprobation. It is a first step in the perilous pathway that leads to the assertion of autocratic authority, an act that seems destined to give the Roosevelt Administration a bad eminence in American history.

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WHAT SHALL WE DO WITH THE TARIFF?

BY THOMAS B. REED, FORMERLY SPEAKER OF THE HOUSE OF REPRESENTATIVES.

THE elections for this year have taken place, and we have escaped the one great danger of a democracy, which is the decision of great questions without discussion. But we have by no means got rid of the questions. We have now upon us the duty of discussing them with such care as will tend to decide them correctly. We have had a season of prosperity which has no parallel, even in our own remarkable history. There has been a movement of concentration; and business has been carried on on so great a scale that we are ourselves frightened by the tremendous shadow which we cast. We are not only exhibiting remarkable growth, but we are doing it in such fashion as to influence the Old World. In that surprising address which Mr. Carnegie has just delivered at St. Andrews, we can see depicted what the influence of forty nations united in one will be, and that it will force the countries of Europe, after due years and perhaps centuries, to such a union as will banish armies and wars. We may well hope for this, for the story of the world's march from feudalism and distraction to nationality and internal peace amply justifies his prophecies to those who can see that God works unceasingly and has all eternity under His command.

But our problem in this nation is of to-day, and if we do our duty of to-day the nation will find those who can take our places to-morrow. All that is now happening is in accord with the nature of things. Displacing the old with the new is never without its complications and minor evils, which correct themselves in due time. All good progress, even that which is undoubted, has its temporary sorrows. One example, which takes innumerable forms, of this temporary sorrow which may be em-

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ployed to illustrate the idea, is the invention and use of labor-saving machinery. Upon such invention and use depends the whole material progress of the world. Nothing else could give us the abundance which characterizes our age. Yet, when any new labor-saving invention comes into use the first thing it does is to deserve its name by lessening the number of men who can work. Labor saved is, temporarily, labor lost. Men are discharged; the machine does what they used to do. Do you wonder, then, that men should resent this intrusion upon their sustenance and support? Some are too old to learn new trades, and for them there is no consolation. Yet, in the long-run, new occasions spring up which employ this discharged labor, and the world has all it used to have and much besides.

Conservatism, or the unwillingness to welcome new things, has its uses. Most new things are not good and die an early death; but those which push themselves forward and by slow degrees force themselves upon the attention of mankind are the unconscious productions of human wisdom, and must have honest consideration, and must not be made the subject of unreasoning prejudice. Toward such a movement no one has a right to look askance. Above all, no one has a right to presume such a movement wrong. It may be wrong; but when business men all over a great nation pursue the same course, the presumption ought to be that they are right. Nevertheless, the first idea is to make them stop.

The history of corporations can be put into a few words. Men of sense are unwilling to risk their all in one enterprise or business. If they can limit their risks, and if by union with others whose risks can be in like manner limited they can make a strong company, much idle money can be utilized and both capital and labor employed. On this basis, and the basis of easier management, corporations were formed and have gradually grown in full proportion to the growth of the world. In our day this growth has taken a new form. That form has been forced upon business men by competition with one another. If a number of concerns united to save expense and the duplication of management, others had to do likewise. These unions of capital have been forced upon the capitalist. This element of force we must all bear in mind if we wish to understand this question. Perhaps you think that men were glad to get into these unions and went cheerfully

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into combinations. Such was not the fact. Men hated to give up their independence. They and their fathers had built up their business. They were proud of their success, and meant to leave their establishments to their children. In the new combination only one could be the head. The others must go out or take rear seats. Then came the task of valuing, which encountered the natural unwillingness to have others do better than we do, until the task of consolidation grew almost impossible. Why was it not absolutely impossible? Simply because of the murderous competition. It was union or bankruptcy. Of course, after there had been a few examples, it became easier. The rising tide of prosperity helped also, because it raised not prices only, but values, and men were reconciled by getting more than they had hoped for, though they got no more than belonged to them. It would be natural here to say, why not let competition go on? What we want is the results of competition—low prices, so that we can buy all we want. The answer to this can be made, and it is worth attention. With small factories scattered around and a country store in every village, competition did insure us low prices, but did not escape the evils we will hereafter speak of. So long as competition could be carried on on the basis of living and letting live, all went well; but, as capital grew in amount and mills in size, competition became more violent and property ceased to make returns. Now, the doctrine of competition, most invaluable in its way, has its limitations. Being human, it is not an unmixed good. Destructive competition is an evil. The world cannot afford to have a trade which does not pay a fair profit. Hence, when a trade ceases to offer a fair profit, there has to be a remedy, and the remedy chosen here was in reality not a new one. It is impressive upon us at this time on account of its size. In a small way it has gone on ever since business became business.

But are we to be exposed to the mercy of those people who pile up millions, and have we no remedy by law or Constitutional Amendment? Yes, we have many remedies on the stump and in the newspapers. But the experience of mankind is universal, that Providence has not left us to the stump-orator or the newspapers, or even to the statesman. Somehow—after much blundering, perhaps, but somehow—every new movement has in itself the element of protection of the race. For instance, we are all afraid of monopolies; we fear that somebody by some new scheme will

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squeeze us permanently, and yet that has never happened. But, you will say, what can prevent these great aggregations of capital from charging what they like? The answer is, that what prevents them from charging an unfair price is the well-founded fear that they will thereby risk and lose the vast sums already piled up. In other words, the same state of the world, the same general wealth, which enabled one big pile of capital to get together, will enable a larger pile to get together and, by means of more modern machinery, to destroy the attempted monopoly. When one set of capitalists of great renown a year or two ago attempted to take control of Pacific business, the undertaking was not so vast as to prevent men whose names were, up to that time, but little known from meeting them and making, at least, a drawn battle. The fact is that every business man now knows that the only monopoly anybody can get, except the temporary one of patents, to which no one objects, is by producing some article cheaper and selling it cheaper than any other maker. Whether such a monopoly is obnoxious and to be stamped out I leave to the wise declamation of the friends of the people.

It would be a good plan if somebody who believes in the efficacy of legislation would sit down and draw his statute and put into words his Constitutional Amendment, and see where he would arrive. "Error," says the wise Latin, "lurks in generalities." To talk of doing something by means of something, if you do not specify the something to be done or the way to do it, is a waste of time.

After all the language which has been used about the great corporations, one is a little surprised at the lack of specification. Almost everybody announces that what we need is "publicity." Even this is vague. Do you expect the public to be intrusted with the cost sheets? If you do not, then what will your publicity amount to? If you mean by "publicity" such a statement as will enable the outsider to buy wisely, or the stockholder to sell at the true value, I fear we may be going beyond the province of free government, which certainly thus far has left the task of keeping his fingers out of the fire to the citizen whose fingers they were.

But cannot we stop this stock-watering? Must we not do it? Well, the value of stock is very much a matter of opinion. It will be noticed that the stock of one of our greatest companies

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can be bought for less than forty dollars. The par value is one hundred. In the judgment of the world there is sixty per cent. water, and in the market the water is squeezed out. Could a Legislature do it more effectually? As that same stock sold at fifty-five, there was a time when there was only forty-five per cent. of water. Is it proposed in the new Constitutional Amendment to specify how often the test for water is to be applied? Are the stockholders to be assessed daily for the variations of each day, or are the directors to be indicted daily? Shall officers of the Government determine the value, or the public in open market?

There is a piece of wisdom as old as the world, which is worthy of all consideration. Let us not be in haste about great matters. When you don't know what to do, don't do it. If the proposition is to press an oak back into an acorn, it had better be carefully considered.

The proposed treatment of corporations, even if something ought to be done, is a fine example of how easily men mistake their wishes for their reasons. It is proposed to repeal such portions of the Tariff Act as have made these corporations prosperous. Of course, this is not intended to attack the Tariff. All we are trying to do is to sap the prosperity of institutions which have grown so large as to frighten us. Why do they frighten us? Because they are great and strong and wealthy. Of course, then, their greatness and strength and wealth are fundamental facts beyond dispute. No tariff law, of course, can be made which does not apply to all. Hence, if the Tariff is so reformed that the big, strong, and wealthy corporations go to destruction, how are the small ones to be saved? Really, to the calm and judicious mind this seems like Free Trade for its own sweet sake.

Protection in some lands may be the subject of discussion and debate. How it can be that in this country, and at this time, passes all understanding. In the United States the policy of protection has had a century and a quarter of alternate triumph and defeat. The triumph has always been followed by prosperity, the defeat by hard times. The last decade has been of striking example. We saw fit to try tariff reform in an act called the "Wilson Act." So prompt were the evidences of failure to meet the hopes of its framers that the country rose as one man, repealed the Act, and substituted therefor the Dingley Act, which was the result of care and skill; and immediately there followed

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a demonstration of the advantages of protection, the like of which was never seen, even in this country. Owing to a combination of circumstances, we found other countries ready to take our surplus; and owing to the fact that we had not fairly started our demands on our own workshops, we had a surplus to send abroad. This large export trade was misunderstood. It only indicated that, with strong prices abroad, with England paralyzed by a strike, and with our own demand only just awakening, we could send many things abroad. It did not mean that we could always do this. It meant that the primacy was in sight but not yet gained. When our own demand reached its proper increase we found we could not supply it. On the contrary, we used up not only what we made, but in the article of iron and steel alone we have imported in the last year a million tons. Unfortunately, our exports came at a time when we were expanding, and everybody's mind was filled with the idea that we could supply the world. The Free Traders seized upon this state of the public mind, and declared that we needed protection no longer and that the Tariff must be abandoned. This idea that protection is in the nature of medicine, to be dropped as soon as possible, is an idea we had better examine. What if it is food? The medicine notion comes from the early arguments for the selection of infant industries to be fostered and cherished. Time and experience have enlarged that notion of protection. They have shown that protection is not a privilege, but a system. A privilege might be robbery. A system must justify itself by results. The principle which underlies protection is the securing at all times to the American people the markets of America. It means that the work of this nation shall be done by the people of this nation. All wealth comes from the marrying of labor to the raw material. In a country like ours, extending over such vast regions, there can be no lack of materials. Any system which enables our people to do our own work is the system which can give, and has given, the best results. The enemy have all along sneered at the idea that taxes can make us rich. But this is simply to beguile by words. Would it be any less absurd to say that taxes gave us good currency? And yet they did. We tax State currency. We do not raise one cent by the tax; it simply bars out the State currency. We used the tax as a way of accomplishing a result,—as means to an end. In like manner, we used the taxing power

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to create a barrier behind which we could do our own work. All the theorists, the men who thought there was nothing in the world they could not think of, declared that we would be ruined. We have not been ruined, but we are to-day a very lively example of a people who do their own work. What would you say was the ideal industrial condition of a nation? Everybody at work. Just now we have everybody at work. And yet we think we want something else. If we keep on fussing we shall get it. With all the world, except England, including her own colonies, of our opinion, with success embroidered on all our banners, we are invited to surrender our views and give place to a beaten world.

Why? Simply because of that human unrest which is part of the history of the race. We, being also of limited knowledge, are much given to be beguiled by generalities. Here is one line of generalities. Is the Dingley Tariff Bill the end of wisdom? If not, then it can be improved. A tariff bill could be framed, we think, which would be free from all the errors of that celebrated bill and retain its virtues. Where would you enact such a bill? Why, in your own mind, of course. Unfortunately, a bill enacted in the mind has no extra-territorial force. A bill enacted by Congress, like the progress of the world, is the result of a fierce conflict of opposing human interests, and must be so. When men talk carelessly of tariff revision, they talk of a tariff never yet established, and one that never can be. They dream of a tariff which exactly suits them individually, while a real tariff bill is one which measurably satisfies the country as a whole.

But can we not have, sitting in perpetual session, a body of men non-partisan, judicious, wise, and incorruptible? Yes, in your mind. You can have anything in your mind. Imagination is unlimited, and it is very delightful to wander round among possible impossibilities. Just think of a non-partisan Free Trader sitting on a tariff tax! Of course, he would be above any prejudice except his own. I saw one Tariff Commission sit in 1882, and its report was not enacted into law. All its mistakes were, and the result was satisfactory to nobody.

What we had better do is to remember where we are and what our dangers are. Enterprises of business are not entered upon by helter-skelter. They are the result of calculation. One of the first inquiries of the promoter or maker is, how many of our present conditions are to remain? If there are to be uncertain-

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ties in the future he will not dare to act. What can you imagine that would dampen a business man's ardor more than to be called on to guess what a new tariff bill would be! The prophetic instinct in the human creature is there beyond its limit.

We ought to let the Tariff alone; we ought to defend it against all comers for the good of the nation. We are doing more than well and need not hunt for disaster. That will come in due time.

Meanwhile, let us see what people are trying to do. Nobody dares to attack the tariff directly. Every effort against it is a flank attack. The tariff is to be changed, not because it has not produced prosperity, but because it has produced large corporations. We so hate and fear large corporations that we will destroy prosperity rather than not destroy them. To argue such a proposition would be a discredit to the American people. The most plausible attack has come from the demand for reciprocity. In my judgment, it will be found that, when the glittering generalities of reciprocity are refined down to actual statement of what is proposed, the American people will never have it. The history of reciprocity the world over has been that any treaty thus far devised has been one-sided, and the country losing has put an end to it. We tried it with Canada. Our export trade increased thirteen per cent., and theirs increased in eleven years five hundred per cent. That treaty no longer exists. We had one with the Sandwich Islands, and on the average we gave them $5,000,000 remitted sugar duties a year, and sold them $4,000,000 worth of goods. In other words, we gave them all our exports and a million dollars besides. This is what the friends of Free Trade were trying to do for Cuba when we were so apprehensive that that Island would be ruined if we did not give in charity what had no foundation in justice.

Protection, I repeat, is a system, and is justifiable because it is of general application. The whole nation gets the benefit of it. If you will examine reciprocity in detail you will find that, in nearly every case, the national revenue is sacrificed for the benefit of individuals. Hawaii alone cost us one hundred and one millions of unrequited dollars. Perhaps it may be a consolation to know that our own citizens, temporarily expatriated, were thereby greatly enriched. This example has led our citizens in Cuba to hope for like results, and they too are eager for remitted duties. But the scheme has been exposed, and Republicans must be blind

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indeed if they surrender any jot or tittle of protection of the beet industry in order to bestow largess upon citizens who expatriate themselves, while we refuse it to farmers who till our own soil. The low price of sugar in Cuba is the same low price which pervades all the West Indies, and is caused by the substitution of the beet, a better sugar-producer than the cane. In a word, a great output of sugar lowers the price. Suppose a great grain crop sent prices down. Would we make it up to our farmers out of our Treasury? Of course not. If we cannot do this thing to our farmers who stay at home, why should we do so to those who go abroad to develop other lands? When we recall the way in which Congress was made to believe that there was a great popular uprising in behalf of Cuba, and contrast it with the disclosures since made, we are amazed. Cuba had promises. By whom they were made, what they were, and when, nobody could ever tell. Mayors of towns just ready to starve sent us messages, and ruin or immediate action were the only alternatives. The whole year has gone and no ruin has come. This was simply a flank attack on protection, and many men were beguiled who had been its stanch champions. For the Republicans to desert the beet-sugar interest is to desert the farmer in the one conspicuous and clear case where his industry is fostered. Under the tariff as it now is all the sugar needed for this country can be made by the people of this country. That is in accord with our system. It is a part of our system, and should not be abandoned until the rest of it is abandoned. When we throw our markets open to the world in all things, then it will be time to do it for sugar.

Let us put this into a few words of a practical character.

We have a tariff carefully drawn, which has served us well. That tariff is only five years old. It has brought us away up on the hill-side of success. It has no connection with great corporations, except what it has with small corporations and individuals. No attack by repealing the Dingley Act can hurt one without hurting all. Any disturbance of that kind would disturb trade in ways with which we are all too familiar.

A tariff bill at any time is not and cannot be the creature of one mind. It means the result of a contest by all interests and all minds. Hence, whenever any man thinks of a tariff he would make, he always thinks of a tariff bill which will never be enacted.

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There was once a President of the United States, of great power and influence. For four years he had no Congress behind him, and he dreamed of such a tariff-reform law as would suit him. By-and-by, he had a Congress of his own party, and he started in to make such a law as would please both gods and men. There are those who remember the dismal looks of the members of the House when they yielded to the Senate, and the averted looks of the President as he let the Bill pass by, unsigned and friendless. To those men it became apparent, as it should be to the whole world, that the tariff enacted is always different from the Act in your mind. Is the Republican party ready to open the box, knowing that, once it is opened, only hope is left behind?

THOMAS B. REED.

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CHRISTIAN SCIENCE.

BY MARK TWAIN.

I.

LET us consider that we are all partially insane. It will explain us to each other; it will unriddle many riddles; it will make clear and simple many things which are involved in haunting and harassing difficulties and obscurities now.

Those of us who are not in the asylum, and not demonstrably due there, are nevertheless, no doubt, insane in one or two particulars. I think we must admit this; but I think that we are otherwise healthy-minded. I think that when we all see one thing alike, it is evidence that, as regards that one thing, our minds are perfectly sound. Now there are really several things which we do all see alike; things which we all accept, and about which we do not dispute. For instance, we who are outside of the asylum all agree that water seeks its level; that the sun gives light and heat; that fire consumes; that fog is damp; that 6 times 6 are thirty-six; that 2 from 10 leaves eight; that 8 and 7 are fifteen. These are, perhaps, the only things we are agreed about; but, although they are so few, they are of inestimable value, because they make an infallible standard of sanity. Whosoever accepts them him we know to be substantially sane; sufficiently sane; in the working essentials, sane. Whoever disputes a single one of them him we know to be wholly insane, and qualified for the asylum.

Very well, the man who disputes none of them we concede to be entitled to go at large. But that is concession enough. We cannot go any further than that; for we know that in all matters of mere *opinion* that same man is insane—just as insane as we are; just as insane as Shakspere was. We know exactly where to put our finger upon his insanity: *it is where his opinion differs from ours.*

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That is a simple rule, and easy to remember. When I, a thoughtful and unbiassed Presbyterian, examine the Koran, I know that beyond any question every Mohammedan is insane; not in all things, but in religious matters. When a thoughtful and unbiassed Mohammedan examines the Westminster Catechism, he knows that beyond any question I am spiritually insane. I cannot prove to him that he is insane, because you never can prove anything to a lunatic—for that is a part of his insanity and the evidence of it. He cannot prove to me that I am insane, for my mind has the same defect that afflicts his. All Democrats are insane, but not one of them knows it; none but the Republicans and Mugwumps know it. All the Republicans are insane, but only the Democrats and Mugwumps can perceive it. The rule is perfect: *in all matters of opinion our adversaries are insane.* When I look around me, I am often troubled to see how many people are mad. To mention only a few:

The Atheist,
The Infidel,
The Agnostic,
The Baptist,
The Methodist,
The Christian Scientist,
The Catholic, and the 115 Christian sects, the Presbyterian excepted,
The 72 Mohammedan sects,
The Buddhist,
The Blavatsky-Buddhist,
The Nationalist,
The Confucian,
The Spiritualist,
The 2,000 East Indian sects,
The Peculiar People,
The Theosophists,
The Swedenborgians,
The Shakers,
The Millerites,
The Mormons,
The Laurence Oliphant Harrisites,
The Grand Lama's people,
The Monarchists,
The Imperialists,
The Democrats,
The Republicans (but not the Mugwumps),
The Mind-Curists,
The Faith-Curists,
The Mental Scientists,
The Allopaths,
The Homœopaths,
The Electropaths,
The ——

But there's no end to the list; there are millions of them! And all insane; each in his own way; insane as to his pet fad or opinion, but otherwise sane and rational.

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This should move us to be charitable toward one another's lunacies. I recognize that in his special belief the Christian Scientist is insane, because he does not believe as I do; but I hail him as my mate and fellow, because I am as insane as he—insane from his point of view, and his point of view is as authoritative as mine and worth as much. That is to say, worth a brass farthing. Upon a great religious or political question, the opinion of the dullest head in the world is worth the same as the opinion of the brightest head in the world—a brass farthing. How do we arrive at this? It is simple. The affirmative opinion of a stupid man is neutralized by the negative opinion of his stupid neighbor—no decision is reached; the affirmative opinion of the intellectual giant Gladstone is neutralized by the negative opinion of the intellectual giant Cardinal Newman—no decision is reached. Opinions that prove nothing are, of course, without value—any but a dead person knows that much. This obliges us to admit the truth of the unpalatable proposition just mentioned above—that, in disputed matters political and religious, one man's opinion is worth no more than his peer's, and hence it follows that no man's opinion possesses any real value. It is a humbling thought, but there is no way to get around it: *all* opinions upon these great subjects are brass-farthing opinions.

It is a mere plain, simple fact—as clear and as certain as that 8 and 7 make fifteen. And by it we recognize that we are all insane, as concerns those matters. If we were sane, we should all see a political or religious doctrine alike; there would be no dispute: it would be a case of 8 and 7—just as it is in heaven, where all are sane and none insane. There, there is but one religion, one belief; the harmony is perfect; there is never a discordant note.

Under protection of these preliminaries, I suppose I may now repeat without offence that the Christian Scientist is insane. I mean him no discourtesy, and I am not charging—nor even imagining—that he is insaner than the rest of the human race. I think he is more picturesquely insane than some of us. At the same time, I am quite sure that in one important and splendid particular he is much saner than is the vast bulk of the race.

Why is he insane? I told you before: it is because his opinions are not ours. I know of no other reason, and I do not need any other; it is the only way we *have* of discovering insanity when

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it is not violent. It is merely the picturesqueness of his insanity that makes it more interesting than my kind or yours. For instance, consider his "little book;" the "little book" exposed in the sky eighteen centuries ago by the flaming angel of the Apocalypse, and handed down in our day to Mrs. Mary Baker G. Eddy of New Hampshire, and translated by her, word for word, into English (with help of a polisher), and now published and distributed in hundreds of editions by her at a clear profit per volume, above cost, of 700 per cent.!—a profit which distinctly belongs to the angel of the Apocalypse, and let him collect it if he can; a "little book" which the C. S. very frequently calls by just that name, and always enclosed in quotation-marks to keep its high origin exultantly in mind; a "little book" which "explains" and reconstructs and new-paints and decorates the Bible, and puts a mansard roof on it and a lightning-rod and all the other modern improvements; a "little book" which for the present affects to travel in yoke with the Bible and be friendly to it, and within half a century will hitch the Bible in the rear and thenceforth travel tandem, itself in the lead, in the coming great march of Christian Scientism through the Protestant dominions of the planet.

Perhaps I am putting the tandem arrangement too far away; perhaps five years might be nearer the mark than fifty; for a lady told me last night that in the Christian Science Mosque in Boston she noticed some things which seem to me to promise a shortening of the interval. On one side there was a display of texts from the New Testament, signed with the Saviour's initials, "J. C."; and on the opposite side a display of texts from the "little book," signed—with the author's mere initials? No—signed with Mrs. Mary Baker G. Eddy's name *in full*. Perhaps the angel of the Apocalypse likes this kind of piracy. I made this remark lightly to a Christian Scientist this morning, but he did not receive it lightly; he said it was jesting upon holy things; he said there was no piracy, for the angel did not compose the book, he only brought it—"God composed it." I could have retorted that it was a case of piracy just the same; that the displayed texts should be signed with the Author's initials, and that to sign them with the translator's train of names was another case of "jesting upon holy things." However, I did not say these things, for this Scientist is a large person, and although by

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his own doctrine we have no substance, but are fictions and unrealities, I knew he could hit me an imaginary blow which would furnish me an imaginary pain that could last me a week. The lady said that in that Mosque there were two pulpits; in one of them was a man with the Former Bible, in the other a woman with Mrs. Eddy's apocalyptic Annex; and from these books the man and the woman were reading verse and verse about.

"Hungry ones throng to hear the Bible read in connection with the text-book of Christian Science, 'Science and Health, with Key to the Scriptures,' by Mary Baker G. Eddy. *These* are our only preachers. *They* are the word of God."—*Christian Science Journal*, October, 1898.

Are these things picturesque? My lady informant told me that in a chapel of the Mosque there was a picture or image of Mrs. Eddy, and that before it burns a never-extinguished light. Is that picturesque? How long do you think it will be before the Christian Scientist will be worshipping that picture or image and praying to it? How long do you think it will be before it is claimed that Mrs. Eddy is a Redeemer, a Christ, and Christ's equal? Already her army of disciples speak of her reverently as "Our Mother." How long will it be before they place her on the steps of the Throne beside the Virgin—and, later, a step higher? First, Mary the Virgin and Mary the Matron; later, with a change of precedence, Mary the Matron and Mary the Virgin. Let the artist get ready with his canvas and his brushes; the new Renaissance is on its way, and there will be money in altar-canvases—a thousand times as much as the Popes and their Church ever spent on the Old Masters; for their riches were poverty as compared with what is going to pour into the treasure-chest of the Christian-Scientist Papacy by-and-by, let us not doubt it. We will examine the financial outlook presently and see what it promises. A favorite subject of the new Old Master will be the first verse of the twelfth chapter of Revelation—a verse which Mrs. Eddy says (in her Annex to the Scriptures) has "one distinctive feature which has special reference to the present age"—and to *her*, as is rather pointedly indicated:

"And there appeared a great wonder in heaven; a *woman* clothed with the sun, and the moon under her feet," etc.

The woman clothed with the sun will be a portrait of Mrs. Eddy.

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Is it insanity to believe that Christian Scientism is destined to make the most formidable show that any new religion has made in the world since the birth and spread of Mohammedanism, and that within a century from now it may stand second to Rome only, in numbers and power in Christendom?

If this is a wild dream it will not be easy to prove it so just yet, I think. There seems argument that it may come true. The Christian-Science "boom" is not yet five years old; yet already it has 500 churches and 1,000,000 members in America.

It has its start, you see, and it is a phenomenally good one. Moreover, it is latterly spreading with a constantly accelerating swiftness. It has a better chance to grow and prosper and achieve permanency than any other existing "ism"; for it has *more to offer* than any other. The past teaches us that in order to succeed a movement like this must not be a mere philosophy, it must be a religion; also, that it must not claim entire originality, but content itself with passing for an improvement on an *existing* religion, and show its hand later, when strong and prosperous—like Mohammedanism.

Next, there must be money—and plenty of it.

Next, the power and authority and capital must be concentrated in the grip of a small and irresponsible clique, with nobody outside privileged to ask questions or find fault.

Next, as before remarked, it must bait its hook with some new and attractive advantages over the baits offered by the other religions.

A new movement equipped with some of these endowments—like spiritualism, for instance—may count upon a considerable success; a new movement equipped with the bulk of them—like Mohammedanism, for instance—may count upon a widely extended conquest. Mormonism had all the requisites but one—it had nothing new and nothing valuable to bait with; and, besides, it appealed to the stupid and the ignorant only. Spiritualism lacked the important detail of concentration of money and authority in the hands of an irresponsible clique.

The above equipment is excellent, admirable, powerful, but not perfect. There is yet another detail which is worth the whole of it put together—and more; a detail which has never been joined (in the *beginning* of a religious movement) to a supremely good working equipment since the world began, until now: *a new per-*

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sonage to worship. Christianity had the Saviour, but at first and for generations it lacked money and concentrated power. In Mrs. Eddy, Christian Science possesses the new personage for worship, and in addition—here in the very beginning—a working equipment that has not a flaw in it. In the beginning, Mohammedanism had no money; and it has never had anything to offer its client but heaven—nothing here below that was valuable. In addition to heaven hereafter, Christian Science has *present health and a cheerful spirit* to offer—for cash; and in comparison with this bribe all other this-world bribes are poor and cheap. You recognize that this estimate is admissible, do you not?

To whom does Bellamy's "Nationalism" appeal? Necessarily to the few: people who read and dream, and are compassionate, and troubled for the poor and the hard-driven. To whom does Spiritualism appeal? Necessarily to the few; its "boom" has lasted for half a century and I believe it claims short of four millions of adherents in America. Who are attracted by Swedenborgianism and some of the other fine and delicate "isms"? The few again: educated people, sensitively organized, with superior mental endowments, who seek lofty planes of thought and find their contentment there. And who are attracted by Christian Science? There is no limit; its field is horizonless; its appeal is as universal as is the appeal of Christianity itself. It appeals to the rich, the poor, the high, the low, the cultured, the ignorant, the gifted, the stupid, the modest, the vain, the wise, the silly, the soldier, the civilian, the hero, the coward, the idler, the worker, the godly, the godless, the freeman, the slave, the adult, the child; *they who are ailing in body or mind, they who have friends that are ailing in body or mind.* To mass it in a phrase, its clientage is the Human Race. Will it march? I think so.

Remember its principal great offer: to *rid the Race of pain and disease.* Can it do so? In large measure, yes. How much of the pain and disease in the world is created by the imaginations of the sufferers, and then kept alive by those same imaginations? Four-fifths? Not anything short of that, I should think. Can Christian Science banish that four-fifths? I think so. Can any other (organized) force do it? None that I know of. Would this be a new world when that was accomplished? And a pleasanter one—for us well people, as well as for those fussy and fret-

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ting sick ones? Would it seem as if there was not as much gloomy weather as there used to be? I think so.

In the mean time, would the Scientist kill off a good many patients? I think so. More than get killed off now by the legalized methods? I will take up that question presently.

At present, I wish to ask you to examine some of the Scientist's performances, as registered in his magazine, "*The Christian Science Journal*"—October number, 1898. First, a Baptist clergyman gives us this true picture of "the average orthodox Christian"—and he could have added that it is a true picture of the average (civilized) human being:

"He is a worried and fretted and fearful man; afraid of himself and his propensities, afraid of colds and fevers, afraid of treading on serpents or drinking deadly things."

Then he gives us this contrast:

"The average Christian Scientist has put all anxiety and fretting under his feet. He does have a victory over fear and care that is not achieved by the average orthodox Christian."

He has put all anxiety and fretting under his feet. What proportion of your earnings or income would you be willing to pay for that frame of mind, year in, year out? It really outvalues any price that can be put upon it. Where can you purchase it, at any outlay of any sort, in any Church or out of it, except the Scientist's?

Well, it is the anxiety and fretting about colds, and fevers, and draughts, and getting our feet wet, and about forbidden food eaten in terror of indigestion, that brings on the cold and the fever and the indigestion and the most of our other ailments; and so, if the Science can banish that anxiety from the world I think it can reduce the world's disease and pain about four-fifths.

In this October number many of the redeemed testify and give thanks; and not coldly, but with passionate gratitude. As a rule they seem drunk with health, and with the surprise of it, the wonder of it, the unspeakable glory and splendor of it, after a long sober spell spent in inventing imaginary diseases and concreting them with doctor-stuff. The first witness testifies that when "this most beautiful Truth first dawned on him" he had "nearly all the ills that flesh is heir to"; that those he did not

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have he thought he had—and this made the tale about complete. What was the natural result? Why, he was a dump-pit "for all the doctors, druggists, and patent medicines of the country." Christian Science came to his help, and "the old sick conditions passed away," and along with them the "dismal forebodings" which he had been accustomed to employ in conjuring up ailments. And so he was a healthy and cheerful man, now, and astonished.

But I am not astonished, for from other sources I know what must have been his method of applying Christian Science. If I am in the right, he watchfully and diligently *diverted his mind from unhealthy channels and compelled it to travel in healthy ones.* Nothing contrivable by human invention could be more formidably effective than that, in banishing imaginary ailments and in closing the entrances against subsequent applicants of their breed. I think his method was to keep saying, "I am well! I am sound!—sound and well! well and sound! Perfectly sound, perfectly well! I have no pain; there's no such thing as pain! I have no disease; there's no such thing as disease! Nothing is real but Mind; all is Mind, All-Good, Good-Good, Life, Soul, Liver, Bones, one of a series, ante and pass the buck!"

I do not mean that that was exactly the formula used, but that it doubtless contains the spirit of it. The Scientist would attach value to the *exact* formula, no doubt, and to the religious spirit in which it was used. I should think that *any* formula that would divert the mind from unwholesome channels and force it into healthy ones would answer every purpose with some people, though not with all. I think it most likely that a very religious man would find the addition of the religious spirit a powerful re-enforcement in his case.

The second witness testifies that the Science banished "an old organic trouble," which the doctor and the surgeon had been nursing with drugs and the knife for seven years.

He calls it his "claim." A surface-miner would think it was not *his* claim at all, but the property of the doctor and his pal the surgeon—for he would be misled by that word, which is Christian-Science slang for "ailment." The Christian Scientist *has* no ailment; to him there is no such thing, and he will not use the lying word. All that happens to him is, that upon his attention an imaginary disturbance sometimes obtrudes itself which *claims to be an ailment, but isn't.*

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This witness offers testimony for a clergyman seventy years old who had preached forty years in a Christian church, and has now gone over to the new sect. He was "almost blind and deaf." He was treated by the C. S. method, and "when he heard the voice of Truth he saw spiritually." Saw spiritually? It is a little indefinite; they had better treat him again. Indefinite testimonies might properly be waste-basketed, since there is evidently no lack of definite ones procurable, but this C. S. magazine is poorly edited, and so mistakes of this kind must be expected.

The next witness is a soldier of the Civil War. When Christian Science found him, he had in stock the following claims:

Indigestion,
Rheumatism,
Catarrh,
Chalky deposits in
Shoulder joints,
Arm joints,
Hand joints,
Atrophy of the mucles of
Arms,
Shoulders,
Stiffness of all those joints,
Insomnia,
Excruciating pains most of the time.

These claims have a very substantial sound. They came of exposure in the campaigns. The doctors did all they could, but it was little. Prayers were tried, but "I never realized any physical relief from that source." After thirty years of torture, he went to a Christian Scientist and took an hour's treatment and went home painless. Two days later, he "began to eat like a well man." Then "the claims vanished—some at once, others more gradually"; finally, "they have almost entirely disappeared." And—a thing which is of still greater value—he is now "*contented and happy.*" That is a detail which, as earlier remarked, is a Scientist-Church specialty. And, indeed, one may go farther and assert with little or no exaggeration that it is a Christian Science monopoly. With thirty-one years' effort, the Methodist Church had not succeeded in furnishing it to this harassed soldier.

And so the tale goes on. Witness after witness bulletins his claims, declares their prompt abolishment, and gives Mrs. Eddy's Discovery the praise. Milk-leg is cured; nervous prostration is cured; consumption is cured; and St. Vitus's dance is made a pastime. And now and then an interesting new addition to the Science slang appears on the page. We have "demonstrations

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over" chilblains and such things. It seems to be a curtailed way of saying "demonstrations of the power of Christian-Science Truth over the fiction which masquerades under the name of Chilblains." The children, as well as the adults, share in the blessings of the Science. "Through the study of the 'little book' they are learning how to be healthful, peaceful, and wise." Sometimes they are cured of their little claims by the professional healer, and sometimes more advanced children say over the formula and cure themselves.

A little Far-Western girl of nine, equipped with an adult vocabulary, states her age and says, "I thought I would write a demonstration to you." She had a claim, derived from getting flung over a pony's head and landed on a rock-pile. She saved herself from disaster by remembering to say "God is All" while she was in the air. I couldn't have done it. I shouldn't even have thought of it. I should have been too excited. Nothing but Christian Science could have enabled that child to do that calm and thoughtful and judicious thing in those circumstances. She came down on her head, and by all the rules she should have broken it; but the intervention of the formula prevented that, so the only claim resulting was a blackened eye. Monday morning it was still swollen and shut. At school "it hurt pretty badly—that is, it *seemed* to." So "I was excused, and went down in the basement and said, 'Now I am depending on mamma instead of God, and I *will* depend on God instead of mamma.'" No doubt this would have answered; but, to make sure, she added Mrs. Eddy to the team and recited "the Scientific Statement of Being," which is one of the principal incantations, I judge. Then "I felt my eye opening." Why, it would have opened an oyster. I think it is one of the touchingest things in child-history, that pious little rat down cellar pumping away at the Scientific Statement of Being.

There is a page about another good child—little Gordon. Little Gordon "came into the world without the assistance of surgery or anæsthetics." He was a "demonstration." A painless one; therefore, his coming evoked "joy and thankfulness to God and the Discoverer of Christian Science." It is a noticeable feature of this literature—the so frequent linking together of the Two Beings in an equal bond; also of Their Two Bibles. When little Gordon was two years old, "he was playing horse on the

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bed, where I had left my 'little book.' I noticed him stop in his play, take the book carefully in his little hands, kiss it softly, then look about for the highest place of safety his arms could reach, and put it there." This pious act filled the mother "with such a train of thought as I had never experienced before. I thought of the sweet mother of long ago who kept things in her heart," etc. It is a bold comparison; however, unconscious profanations are about as common in the mouths of the lay membership of the new Church as are frank and open ones in the mouths of its consecrated chiefs.

Some days later, the family library—Christian-Science books—was lying in a deep-seated window. This was another chance for the holy child to show off. He left his play and went there and pushed all the books to one side, except the Annex. "*It* he took in both hands, slowly raised it to his lips, then removed it carefully, and seated himself in the window." It had seemed to the mother too wonderful to be true, that first time; but now she was convinced that "neither imagination nor accident had anything to do with it." Later, little Gordon let the author of his being see him do it. After that he did it frequently; probably every time anybody was looking. I would rather have that child than a chromo. If this tale has any object, it is to intimate that the inspired book was supernaturally able to convey a sense of its sacred and awful character to this innocent little creature, without the intervention of outside aids. The magazine is not edited with high-priced discretion. The editor has a "claim," and he ought to get it treated.

Among other witnesses there is one who had a "jumping toothache," which several times tempted her to "believe that there was sensation in matter, but each time it was overcome by the power of Truth." She would not allow the dentist to use cocaine, but sat there and let him punch and drill and split and crush the tooth, and tear and slash its ulcerations, and pull out the nerve, and dig out fragments of bone; and she wouldn't once confess that it hurt. And to this day she thinks it didn't, and I have not a doubt that she is nine-tenths right, and that her Christian-Science faith did her better service than she could have gotten out of cocaine.

There is an account of a boy who got broken all up into small bits by an accident, but said over the Scientific Statement of

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Being, or some of the other incantations, and got well and sound without having suffered any real pain and without the intrusion of a surgeon.

Also there is an account of the restoration to perfect health, in a single night, of a fatally injured *horse,* by the application of Christian Science. I can stand a good deal, but I recognize that the ice is getting thin, here. That horse had as many as fifty claims; how could *he* demonstrate over them? Could he do the All-Good, Good-Good, Good-Gracious, Liver, Bones, Truth, All down but Nine, Set them up on the Other Alley? Could he intone the Scientific Statement of Being? Now, could he? Wouldn't it give him a relapse? Let us draw the line at horses. Horses and furniture.

There is a plenty of other testimonies in the magazine, but these quoted samples will answer. They show the kind of trade the Science is driving. Now we come back to the question, Does the Science kill a patient here and there and now and then? We must concede it. Does it compensate for this? I am persuaded that it can make a plausible showing in that direction. For instance: when it lays its hand upon a soldier who has suffered thirty years of helpless torture and makes him whole in body and mind, what is the actual sum of that achievement? This, I think: that it has restored to life a subject who had essentially died ten deaths a year for thirty years, and each of them a long and painful one. But for its interference that man would have essentially died thirty times more, in the three years which have since elapsed. There are thousands of young people in the land who are now ready to enter upon a life-long death similar to that man's. Every time the Science captures one of these and secures to him life-long immunity from imagination-manufactured disease, it may plausibly claim that in his person it has saved 300 lives. Meantime, it will kill a man every now and then. But no matter; it will still be ahead on the credit side.

MARK TWAIN.

(To be Continued.)

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FRANK NORRIS.

BY W. D. HOWELLS.

THE projection which death gives the work of a man against the history of his time, is the doubtful gain we have to set against the recent loss of such authors as George Douglas, the Scotchman, who wrote "The House with the Green Shutters," and Frank Norris, the American, who wrote "McTeague" and "The Octopus," and other novels, antedating and postdating the first of these, and less clearly prophesying his future than the last. The gain is doubtful, because, though their work is now freed from the cloud of question which always involves the work of a living man in the mind of the general, if his work is good (if it is bad they give it no faltering welcome), its value was already apparent to those who judge from the certainty within themselves, and not from the uncertainty without. Every one in a way knows a thing to be good, but the most have not the courage to acknowledge it, in their sophistication with canons and criterions. The many, who in the tale of the criticism are not worth minding, are immensely unworthy of the test which death alone seems to put into their power. The few, who had the test before, were ready to own that Douglas's study of Scottish temperaments offered a hope of Scottish fiction freed the Scottish sentimentality which had kept it provincial; and that Norris's two mature novels, one personal and one social, imparted the assurance of an American fiction so largely commensurate with American circumstance as to liberate it from the casual and the occasional, in which it seemed lastingly trammelled. But the parallel between the two does not hold much farther. What Norris did, not merely what he dreamed of doing, was of vaster frame, and inclusive of imaginative intentions far beyond those of the only immediate contemporary to be

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matched with him, while it was of as fine and firm an intellectual quality, and of as intense and fusing an emotionality.

I.

In several times and places, it has been my rare pleasure to bear witness to the excellence of what Norris had done, and the richness of his promise. The vitality of his work was so abundant, the pulse of health was so full and strong in it, that it is incredible it should not be persistent still. The grief with which we accept such a death as his is without the consolation that we feel when we can say of some one that his life was a struggle, and that he is well out of the unequal strife, as we might say when Stephen Crane died. The physical slightness, if I may so suggest one characteristic of Crane's vibrant achievement, reflected the delicacy of energies that could be put forth only in nervous spurts, in impulses vivid and keen, but wanting in breadth and bulk of effect. Curiously enough, on the other hand, this very lyrical spirit, whose freedom was its life, was the absolute slave of reality. It was interesting to hear him defend what he had written, in obedience to his experience of things, against any change in the interest of convention. "No," he would contend, in behalf of the profanities of his people, "that is the way they *talk*. I have thought of that, and whether I ought to leave such things out, but if I do I am not giving the thing as I *know* it." He felt the constraint of those semi-savage natures, such as he depicted in "Maggie," and "George's Mother," and was forced through the fealty of his own nature to report them as they spoke no less than as they looked. When it came to "The Red Badge of Courage," where he took leave of these simple æsthetics, and lost himself in a whirl of wild guesses at the fact from the ground of insufficient witness, he made the failure which formed the break between his first and his second manner, though it was what the public counted a success, with every reason to do so from the report of the sales.

The true Stephen Crane was the Stephen Crane of the earlier books, the earliest book; for "Maggie" remains the best thing he did. All he did was lyrical, but this was the aspect and accent as well as the spirit of the tragically squalid life he sang, while "The Red Badge of Courage," and the other things that followed it, were the throes of an art failing with material to which it could

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not render an absolute devotion from an absolute knowledge. He sang, but his voice erred up and down the scale, with occasional flashes of brilliant melody, which could not redeem the errors. New York was essentially his inspiration, the New York of suffering and baffled and beaten life, of inarticulate or blasphemous life; and away from it he was not at home, with any theme, or any sort of character. It was the pity of his fate that he must quit New York, first as a theme, and then as a habitat; for he rested nowhere else, and wrought with nothing else as with the lurid depths which he gave proof of knowing better than any one else. Every one is limited, and perhaps no one is more limited than another; only, the direction of the limitation is different in each. Perhaps George Douglas, if he had lived, would still have done nothing greater than "The House with the Green Shutters," and might have failed in the proportion of a larger range as Stephen Crane did. I am not going to say that either of these extraordinary talents was of narrower bound than Frank Norris; such measures are not of the map. But I am still less going to say that they were of finer quality because their achievement seems more poignant, through the sort of physical concentration which it has. Just as a whole unhappy world agonizes in the little space their stories circumscribe, so what is sharpest and subtlest in that anguish finds its like in the epical breadths of Norris's fiction.

II.

At the other times when I so gladly owned the importance of this fiction, I frankly recognized what seemed to me the author's debt to an older master; and now, in trying to sum up my sense of it in an estimate to which his loss gives a sort of finality for me, I must own again that he seemed to derive his ideal of the novel from the novels of Zola. I cannot say that, if the novels of Zola had not been cast in the epic mould, the novels of Frank Norris would not have been epical. This is by no means certain; while it is, I think, certain that they owe nothing beyond the form to the master from whom he may have imagined it. Or they owe no more to him, essentially, than to the other masters of the time in which Norris lived out his life all too soon. It is not for nothing that any novelist is born in one age, and not another, unless we are to except that aoristic freak, the historical novelist; and by what Frank Norris wrote one might easily know what he had

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read. He had read, and had profited, with as much originality as any man may keep for himself, by his study of the great realists whose fiction has illustrated the latter part of the nineteenth century beyond any other time in the history of fiction; and if he seemed to have served his apprenticeship rather more to one of them than to another, this may be the effect of an inspiration not finally derived from that one. An Italian poet says that in Columbus "the instinct of the unknown continent burned;" and it may be that this young novelist, who had his instincts mostly so well intellectualized, was moved quite from within when he imagined treating American things in an epical relation as something most expressive of their actual relation. I am not so sure that this is so, but I am sure that he believed it so, and that neither in material nor in treatment are his novels Zolaesque, though their form is Zolaesque, in the fashion which Zola did not invent, though he stamped it so deeply with his nature and his name.

I may allow also that he was like Zola in his occasional indulgence of a helpless fondness for the romantic, but he quite transcended Zola in the rich strain of poetry coloring his thought, and the mysticism in which he now and then steeped his story. I do not care enough, however, for what is called originality in any writer to fatigue myself greatly in the effort to establish that of a writer who will avouch his fresh and vigorous powers to any one capable of feeling them. I prefer, in the presence of a large design left unfulfilled, to note the generous ideal, the ample purpose, forecast in the novel forming the first of the trilogy he imagined.

In one of those few meetings which seem, too late, as if they might have been so many, but which the New York conditions of overwork for all who work at all begrudge, I remember how he himself outlined his plan. The story of the Wheat was for him the allegory of the industrial and financial America which is the real America, and he had begun already to tell the first part of this story in the tragedy of the railroad-ridden farms of California, since published as "The Octopus." The second part, as he then designed, was to carry the tale to Chicago, where the distribution of the Wheat was to be the theme, as its production had already been the theme in the first. The last part was to find its scene in Europe, among the representative cities where the consumption of the Wheat was to form the motive. Norris believed himself peculiarly qualified for the work by the accidents

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of his life; for he was born in Chicago and had lived there till he was fifteen years old; then he had gone to California, and had grown up into the knowledge of the scene and action which he has portrayed so powerfully; later, he had acquainted himself with Europe, by long sojourn; and so he argued, with an enthusiasm tempered by a fine sense of his moral and artistic responsibility, that he had within himself the means of realizing the whole fact to the reader's imagination. He was aware that such a plan could be carried out only by years of ardent and patient study, and he expected to dedicate the best part of his strong young life to it.

III.

Those who know "The Octopus" know how his work justified his faith in himself; but those who had known "McTeague" could not have doubted but he would do what he had undertaken, in the spirit of the undertaking. Norris did give the time and toil to the right documentation of his history. He went to California and renewed his vital knowledge of his scene; he was in California again, studying the course of the fact which was to bring him to Chicago, when death overtook him and ended his high emprise. But in the meantime he had given us "The Octopus," and before that he had given us "McTeague," books not all so unlike in their nature as their surfaces might suggest. Both are epical, though the one is pivoted on the common ambition of a coarse human animal, destined to prevail in a half-quackish triumph, and the other revolves about one of the largest interests of modern civilization. The author thought at first of calling "McTeague," as he told me, "The Golden Tooth," which would have been more significant of the irregular dentist's supremacy in the story, and the ideal which inspired him; but perhaps he felt a final impossibility in the name. Yet, the name is a mere mask; and when one opens the book, the mask falls, and the drama confronts us with as living a physiognomy as I have seen in fiction. There is a bad moment when the author is overcome by his lingering passion for the romantic, and indulges himself in a passage of rank melodrama; but even there he does nothing that denies the reality of his characters, and they are always of a reality so intense that one lives with them in the grotesquely shabby San Francisco street where, but for the final episode, the action passes.

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What is good is good, it matters not what other things are better or worse; and I could ask nothing for Norris, in my sense of his admirable achievement, but a mind freed to criticism absolute and not relative. He is of his time, and, as I have said, his school is evident; and yet I think he has a right to make his appeal in "The Octopus" irrespective of the other great canvases beside which that picture must be put. One should dissociate it as far as possible from the work of his masters—we all have masters; the masters themselves had them—not because it is an imitation, and would suffer from the comparison, but because it is so essentially different, so boldly and frankly native, that one is in danger of blaming it for a want of conformity to models, rather than for too close a following. Yet this, again, does not say quite the right thing, and what I feel, and wish others to feel, in regard to it, is the strong security of its most conscientious and instructed art. Here is nothing of experiment, of protest, of rebellion; the author does not break away from form in any sprawling endeavor for something newly or incomparably American, Californian, Western, but finds scope enough for his powers within the limits where the greatest fiction of our period "orbs about." The time, if there ever was one, for a prose Walt Whitman was past; and he perceived that the indigenous quality was to be imparted to his work by the use of fresh material, freshly felt, but used in the fashion and the form which a world-old art had evolved in its long endeavor.

"McTeague" was a personal epic, the Odyssey of a simple, semi-savage nature adventuring and experiencing along the low social levels which the story kept, and almost never rose or fell from. As I review it in the light of the first strong impressions, I must own it greater than I have ever yet acknowledged it, and I do this now with the regret which I hope the critic is apt to feel for not praising enough when praise could have helped most. I do not think my strictures of it were mistaken, for they related to the limits which certain facts of it would give it with the public, rather than to the ethical or æsthetic qualities which would establish it with the connoisseur. Yet, lest any reader of mine should be left without due sense of these, I wish now to affirm my strong sense of them, and to testify to the value which this extraordinary book has from its perfectly simple fidelity: from the truthfulness in which there is no self-doubt and no self-excuse.

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IV.

But, with all its power, "McTeague" is no such book as "The Octopus," which is the Iliad to its Odyssey.

It will not be suggesting too much for the story to say, that there is a kind of Homeric largeness in the play of the passions moving it. They are not autochthons, these Californians of the great Wheat farms, choking in the folds of the railroad, but Americans of more than one transplantation; yet there is something rankly earthy and elemental in them, which gives them the pathos of tormented Titans. It is hard to choose any of them as the type, as it is hard to chose any scene as the representative moment. If we choose Annixeter, growing out of an absolute, yet not gross, materiality, through the fire of a purifying love, into a kind of final spirituality, we think, with misgiving for our decision, of Magnus Derrick, the high, pure leader of the rebellion against the railroad, falling into ruin, moral and mental, through the use of the enemy's bad means for his good cause. Half a score of other figures, from either camp, crowd upon the fancy to contest the supreme interest, men figures, women figures; and, when it comes to choosing this episode or that as the supreme event, the confusion of the critic is even greater. If one were to instance the fight between the farmers and the sheriff's deputies, with the accompanying evictions, one must recall the tremendous passages of the train-robbery by the crazy victim of the railroad's treachery, taking his revenge in his hopeless extremity. Again, a half score of other scenes, other episodes rise from the remembered pages, and defy selection.

The story is not less but more epical, in being a strongly interwrought group of episodes. The play of an imagination fed by a rich consciousness of the mystical relations of nature and human nature, the body and the soul of earthly life, steeps the whole theme in an odor of common growth. It is as if the Wheat sprang out of the hearts of men, in the conception of the young poet who writes its Iliad, and who shows how it overwhelms their lives, and germinates anew from their deaths. His poem, of which the terms are naked prose, is a picture of the civilization, the society, the culture which is the efflorescence of the wheaten prosperity; and the social California, rank, crude, lusty, which he depicts is as convincing as the agricultural California, which is the ground of his work. It will be easily believed that in the handling

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nothing essential to the strong impression is blinked; but nothing, on the other hand, is forced in. The episode of Venamee and Angèle, with its hideous tragedy, and the long mystical epilogue ending almost in anti-climax, is the only passage which can be accused of irrelevance, and it is easier to bring than to prove this accusation.

As I write, and scarcely touch the living allegory here and there, it rises before me in its large inclusion, and makes me feel once more how little any analysis of a work of art can represent it. After all the critic must ask the reader to take his word for it that the thing is great, and entreat him to go see for himself: see, in this instance, the breadth and the fineness, the beauty and the dread, the baseness and the grandeur, the sensuality and the spirituality, working together for the effect of a novel unequalled for scope and for grasp in our fiction.

V.

Fine work we have enough of and to spare in our fiction. No one can say it is wanting in subtlety of motive and delicate grace of form. But something still was lacking, something that was not merely the word but the deed of commensurateness. Perhaps, after all, those who have demanded Continentality of American literature had some reason in their folly. One thinks so, when one considers work like Norris's, and finds it so vast in scope while so fine and beautiful in detail. Hugeness was probably what those poor fellows were wanting when they asked for Continentality; and from any fit response that has come from them one might well fancy them dismayed and puzzled to have been given greatness instead. But Continentality he also gave them.

His last book is a fragment, a part of a greater work, but it is a mighty fragment, and it has its completeness. In any time but this, when the air is filled with the fizz and sputter of a thousand pin-wheels, the descent of such a massive aërolite as "The Octopus" would have stirred all men's wonder, but its light to most eyes appears to have seemed of one quality with those cheap explosives which all the publishing houses are setting off, and advertising as meteoric. If the time will still come for acknowledgment of its greatness, it will not be the time for him who put his heart and soul into it. That is the pity, but that in the human conditions is what cannot be helped. We are here to do something, we

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do not know why; we think it is for ourselves, but it is for almost anyone but ourselves. If it is great, some one else shall get the good of it, and the doer shall get the glory too late; if it is mean, the doer shall have the glory, but who shall have the good? This would not be so bad if there were life long enough for the processes of art; if the artist could outlive the doubt and the delay into which every great work of art seems necessarily to plunge the world anew, after all its experience of great work.

I am not saying, I hope, that Frank Norris had not his success, but only that he had not success enough, the success which he would have had if he had lived, and which will still be his too late. The two novels he has left behind him are sufficient for his fame, but though they have their completeness and their adequacy, one cannot help thinking of the series of their like that is now lost to us. It is Aladdin's palace, and yet,

> "The unfinished window in Aladdin's palace
> Unfinished must remain,"

and we never can look upon it without an ache of longing and regret.

Personally, the young novelist gave one the impression of strength and courage that would hold out to all lengths. Health was in him always as it never was in that other rare talent of ours with whom I associate him in my sense of the irretrievable, the irreparable. I never met him but he made me feel that he could do it, the thing he meant to do, and do it robustly and quietly, without the tremor of "those electrical nerves" which imparted itself from the presence of Stephen Crane. With him my last talk of the right way and the true way of doing things was saddened by the confession of his belief that we were soon to be overwhelmed by the rising tide of romanticism, whose crazy rote he heard afar, and expected with the resignation which the sick experience with all things. But Norris heard nothing, or seemed to hear nothing, but the full music of his own aspiration, the rich diapason of purposes securely shaping themselves in performance.

Who shall inherit these, and carry forward work so instinct with the Continent as his? Probably, no one; and yet good work shall not fail us, manly work, great work. One need not be overhopeful to be certain of this. Bad work, false, silly, ludicrous

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work, we shall always have, for the most of those who read are so, as well as the most of those who write; and yet there shall be here and there one to see the varying sides of our manifold life truly and to say what he sees. When I think of Mr. Brand Whitlock and his novel of "The Thirteenth District," which has embodied the very spirit of American politics as American politicians know them in all the Congressional districts; when I think of the author of "The Spenders," so wholly good in one half that one forgets the other half is only half good; when I think of such work as Mr. William Allen White's, Mr. Robert Herrick's, Mr. Will Payne's—all these among the younger men—it is certainly not to despair because we shall have no such work as Frank Norris's from them. They, and the like of them, will do their good work as he did his.

W. D. HOWELLS.

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ELECTRICITY AS A MOTIVE POWER ON TRUNK LINES.

BY CORNELIUS VANDERBILT.

It would be interesting, though not instructive, to know how many people have prophesied, during the past ten years, that the day of the steam locomotive was at an end, and that the era of electricity as the motive power for railways was at hand, for one seldom takes a journey without hearing this view expressed by some fellow-passenger. When one considers the enormous growth of the trolley systems in this country, it seems to the layman—using this term in contra-distinction to that of engineer—quite natural to suppose that a slight extension will result in equipping the present steam roads with electric locomotives or motor cars run in trains. It is the object of this short paper to consider, in a very general way, the reasons for the extension or non-extension of the trolley system, and to draw certain conclusions from an examination of the principles which underlie the question. The conditions to be met in the different parts of the country, caused by the differences in the communities served by the various roads, as well as numerous minor matters, require a different analysis to be made of each line, but certain general principles are the same for all, and we will therefore attempt to examine these, excluding as far as possible any specific railway or group of roads.

From the stand-point of those in charge of the railways in this country, there is only one object in view when a change is made in methods of operation, whether the change be great or small, from the consolidation of a number of roads down to the minutest improvement in rolling-stock. That object is the production of an increased net revenue; and it may be brought about either by a reduction in the cost of transporting freight and passengers, or

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by providing such additional facilities that the volume of traffic will be increased, or that higher rates may be charged.

It may be accomplished in the last-mentioned manner if the change insures a measure of comfort and convenience to shippers and passengers which more than counterbalances the question of cost or price of the service rendered. It is evident, therefore, that, under certain conditions, an increased cost of transportation may be, in the end, economical and advantageous to the railway if it is accompanied by a great increase in facilities or convenience to those using the road. Some thought on this latter point discloses the fact that this will be the case almost exclusively in passenger traffic, and may be omitted in considering the transportation of freight. There might be some hesitancy in making this last assertion, had not the experience of many American roads during the past decade shown that a decrease in the cost per ton-mile was accompanied by a greater benefit to the road than was obtained by any increase in convenience to shippers of freight. The results obtained by the methods in use on the roads in the Northwest clearly show the truth of this statement.

It is apparent from the above that, before any change from the present system of motive power is made, the result must promise either a more economical method of transportation, or such an increase in the volume of traffic as will insure an increased net revenue. In any case, the first point to be considered is the actual cost to a road of transporting a given weight a given distance. The unit generally used in considering this question in freight traffic, is the cost per ton-mile, or the cost of hauling one ton one mile; but there is no corresponding unit for passenger traffic, unless we should take the cost of transporting one passenger one mile, assume an average weight per passenger, and multiply it by the number of passengers weighing one ton. It is, however, not necessary to do this, for, taking the subject as a whole, a simple method for purposes of comparison is to take, first, the cost of a unit amount of fuel; second, the amount of useful work realized from this fuel at the driving wheels; third, the cost of operation or handling trains; fourth, the cost of repairs to the machinery; and, fifth, the cost of repairs to the road-bed.

In comparing the present motive-power system with the proposed system of electric traction, we should, therefore, make separate comparisons of each of these points and thus arrive at

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our conclusion. We must, then, compare the cost of equipping a road with either system, and determine which will bring in the greatest return on the capital invested. The cost of the fuel naturally varies greatly in different parts of the country; but, with one exception, we may take it as being equal on any given road for both systems, omitting certain cases where coal of different quality may be used in power-houses and on locomotives, since, with coal or oil, the only other difference in cost would be found in the cost of its transportation from the point of delivery to the point of consumption. This would, in all probability, be equal in both plans, if we assume the distance between power-houses to be approximately the same as the distance between coaling stations of locomotives. The only exception to this is the case in which water power could provide the initial "fuel"; but, as falls capable of generating sufficient power are not generally found in the proper or convenient positions, and as their "head" or pressure varies greatly with the seasons, we might omit this case from the discussion, though it should not be entirely passed over without considering its possibilities. It is impossible to compare the cost of such power as a fuel to the cost of the actual coal or oil, but its cost after conversion to electricity could be compared to the cost of electricity produced by means of coal or oil, boilers, engines and dynamos. And it thus leads us to the second point to be considered—that is, the amount of useful work realized at the driving or motor wheels from the initial fuel.

To compare the systems under consideration from this point of view, we should determine what proportion the amount of work realized bears to the initial amount of work put into the "machine," or what is termed in engineering the efficiency. This brings us to the vital point of the discussion. The steam locomotive system is a direct-acting "machine"—that is to say, it obtains the power at the drivers by means of a single conversion of energy; while the electric system must necessarily use a double or multiple conversion of energy before the power is obtained at the motor wheels. It is an axiom in physics that in any conversion of energy a loss must take place, and, therefore, if the first conversion—that from coal or oil to steam—is equal in both cases, there will be a lower total efficiency in the case of the double than in that of the single conversion.

But it so happens that, in the first conversion, the efficiencies

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of the systems under comparison are not equal, for the locomotive efficiency is, as a rule, lower than the efficiency obtained from boilers and engines in a power-house. The higher efficiency of the latter is due to the fact that it is possible to use larger units; that they are stationary; that the engines are condensing; that it is not necessary to force the boilers to the same extent as the boilers of locomotives; and that there is a smaller loss in the mechanism of the engine itself. The efficiency of the former system is its total efficiency, since the steam is applied to useful work at the drivers without any further changes, while, for the electric system, we must convert the power obtained from the steam into electricity, transport it along the rail and use it in the motors on the train. We must, therefore, consider the losses due to this process in order to determine its total efficiency.

These losses, depend, primarily, on the distance between power-houses if continuous current be used, and on the location of sub-stations as well as power-houses if alternating current be employed. The greater portion of this second loss is due, in long-distance transmission, not to the actual loss in the electrical machines,—for the present efficiency of dynamo, motor, convertor and alternator leaves so small a margin for improvement that, even should they be still further perfected, the result would have little effect on the total,—but to the transmission or line loss. Therefore, up to a certain point, we may say that the further apart the power-houses and sub-stations are placed, the smaller will be this efficiency. It is possible under certain conditions so to space the fixed electrical plant that a total efficiency from the fuel to the power at the wheels will be obtained equal to that obtained in a steam locomotive, and it is also possible, by a still closer spacing, to obtain an efficiency slightly in excess of this.

The location of the fixed electrical plant thus determines the total efficiency of the system, and materially affects both first cost and cost of operation. It also affects the possibility of using water power; for, unless the falls are situated at frequent intervals along the line of a railway—an impossibility except in mountainous districts—the line loss precludes its general adoption.

We now come to the third point for comparison—that of the relative cost of operation, and while it is impossible to determine this and the remaining two points with accuracy, yet we may discover approximately what the results in substituting electricity

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for steam would be. Taking the items properly chargeable to operation or conducting transportation, we find that there should be no difference, under either plan, in the expense of superintendence, station service, telegraph or signal operation, men employed as switchmen and flagmen or men at present employed in the roundhouses. It is also fair to assume that the cost of general supplies, such as oil, waste, etc., would be equal in both cases. The remaining item is the train service, which may be divided into wages of engine and train crews, and general train supplies. The latter should be equal for both systems, so we need only consider the former. It is impossible to run a freight train with safety with a smaller number of men than the number in an ordinary crew; while in the engine crew, should the third rail be used, it would be possible to dispense with the services of a fireman, though it would be so unsafe to have only one man in the cab that an assistant motorman should be employed. This is not done on some of the electric passenger lines now in operation, such as the elevated roads in New York, but on a trunk line the chances of accident to an engineman are far greater, owing to the volume of traffic and to the speeds run, than on any suburban road, and it is, therefore, possible that, should a road equipped with the third rail attempt to operate with only one man in the cab, either the resulting accidents or the Inter-State Commerce Commission would force the employment of a second. The above statements apply with equal force both to passenger and freight trains, and, as the wages of train and engine crews should not differ whether electricity or steam be used, we come to the conclusion that the relative cost of conducting transportation, exclusive of the force at work in the power-houses and sub-stations along the line, should be equal in both cases.

The cost of maintenance of a locomotive on a railway of the first class should be about five cents per mile run. This cost naturally varies in different parts of the country, depending on the life, amount of service, quality of coal and water used, type of boiler and engine, and the general attention or care given; but five cents is a fair maximum figure.

There is, unfortunately, no figure for cost of repairs to electric motors and equipment with which this can be directly compared, but, judging from results obtained on such lines as the elevated roads of Chicago and New York, this figure is, if anything, slight-

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ly higher for the latter, comparing the maintenance charges of the total number of motors on a train, and the proportionate power-house repairs, with the maintenance of a single steam locomotive. The cost of maintenance of the cars employed should not differ in either plan, unless motor cars be used, and this could at present only be done in passenger service, for an attempt to equip freight cars with motors, and so take advantage of the weight of load for adhesion, would be entirely impracticable, unless the road adopting this arrangement refused to allow the cars so equipped to leave its own line. It is difficult to compare the relative cost of repairs to road-bed; but, despite the much talked of ill effects of the "hammer blow," it seems probable that electric traction would increase this charge, by reason of the additional cost of maintaining the third rail, and the complication at switching points and in yards.

It is now proper for us to consider the comparative first costs. There will be a greater first cost for any electric traction system, due principally to the cost of power houses, sub-stations and third rail, for the cost of rolling-stock equipment would be approximately the same as in steam-locomotive traction. If we anticipate an equal net return to the road in both cases, we should so place the power-houses and sub-stations for electric traction that we would decrease the fuel cost to the point where this saving will pay the interest (and power-house operating charges), on the amount of capital required for this system over that required for steam power. The possibility of doing this depends primarily on the density of the traffic on the road. In most cases, it is an impossibility, and the further we extend the principle, and so place our plant as to decrease the fuel cost, the more difficult is it to find a railroad with the required traffic density.

As has been previously stated, it is not the object of this paper to take up the consideration of individual roads; but it may be said that there are at present no roads in the United States deriving two-thirds of their total revenue from the transportation of freight—which is a fair proportion for a trunk line—on which this condition is found.

If we consider passenger traffic irrespective of transportation of freight, or if we view it from the stand-point of increasing traffic by increasing convenience, it assumes a different aspect.

We know from experience that, in this class of service, increased

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convenience and facilities in many cases more than compensate for increased cost of transportation. This convenience, as we may term it for want of a better word, includes general convenience to passengers, speed, number and frequency of trains, and is the all-important point in passenger traffic. Combining this with the fact that, after a certain density of traffic is realized, the fuel cost may be reduced, we have the reason for the success of the trolley system and for the adoption of electricity as motive power on certain metropolitan and suburban roads. In passenger traffic, the position of the road should determine, in the main, whether electricity is to be adopted, due consideration being given to the possibility of increasing the density of traffic by increasing the convenience, and a final judgment being rendered in its favor when it is seen that the density induced by this convenience will warrant the greater first cost and produce a larger net return (after deducting interest and cost of operation of the additional machinery) than will be produced if steam power is used. This net return may be procured either by a decreased fuel cost, if the density of traffic is sufficient, or by increased rates should the convenience be so increased that the passengers are willing to pay for it.

Many of the minor matters which would require discussion before the third-rail system was adopted on any road have been omitted in this paper—such as the protection of the live rails in yards, at switching points, and at grade crossings. Nor have questions of speeds, weights of trains, fluctuations in load requiring power-house apparatus out of all proportion to average power consumption, been considered. They are points too technical for discussion here.

That it is possible to use electricity as the motive power on trunk lines is not questioned. It is entirely possible from the engineering point of view; but, from the financial point of view, it is an impossibility except under the conditions mentioned above. How long it will remain so it is naturally out of the province of this paper to predict; but the possibility of certain improvements which would decrease the fuel cost in electric traction can be imagined, such as the successful working of oil engines in large units, or inventions that would reduce the line loss, etc.; while, on the other hand, improvements that would produce equal efficiency may be imagined for steam locomotives.

CORNELIUS VANDERBILT.

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MUSIC AS A FACTOR IN NATIONAL LIFE.

BY DAVID BISPHAM.

NOTWITHSTANDING Shakespeare's famous dictum, the absence of the musical faculty in individuals is no more an indication of vice than its possession is a *sine qua non* of personal virtue. "The man who hath no music in himself is not, of hard necessity, "fit for treasons, stratagems and spoils." On the contrary, quite as likely is he, as though he were never so musically endowed, to be the most benign of his sex, abhorring the traitor and the despoiler with all the might of his untuneful soul, yet never missing, because he never knew, the effect of "a concourse of sweet sounds." The veriest scoundrel may be an admirable musician, or the noblest philanthropist tone-deaf. Yet, in some other direction, the efforts of the latter toward the amelioration of the lot of down-trodden humanity—if such a term be not wellnigh out of date nowadays in this country—are surely none the less useful for that music comes neither within his scope nor his ken. Carlyle's estimate of it as "a disagreeable noise" is well known; that most versatile writer and delightful man, Grant Allen, though keenly appreciating the inflections of the speaking voice, was quite oblivious to song, and could distinguish between the best-known airs only through obvious differences of rhythm; while the late Ulysses S. Grant once said in the hearing of the writer, "My dear sir, sing whatever pleases you best; I don't know one tune from another." Such cases, however, are fortunately not so numerous among us as to occasion any fear for the future of music in America. Though there must exist a diversity of taste in regard to mental relaxation, the love if not the practice of music may, among the broad ranks of the indifferent, be very greatly cultivated to the ennobling of character, not only of individuals but of whole communities. But, taking no further

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account of those congenitally incapable of receiving pleasurable sensations from music, what would the world become were it suddenly bereft of this saving grace from a sphere of life but dimly comprehended as yet, even by the elect? And how may not the world be benefited by the scientific application of those subtle laws and influences which so strangely, yet so profoundly and universally, affect mankind?

The power of ordered sounds is as inexplicable as that of intense thought, and none the less real; for in it only is there found a means of expression for the ideas of those who are unable to give vent to their emotions in any of the languages of nature save in music alone; while, through its careful administration, the highest benefits are to be obtained, not only for the pleasure and enlightenment of the many and the education of the enthusiastic, but for the actual alleviation of some of the most dreadful sufferings of mankind, nervous and mental illness being now, and often successfully, treated by music.

The common question among young people, "If you had to be blind or deaf, which would you choose?" clearly indicates the estimation in which this pair of our five senses, sight and hearing, is held; and, while the loss of the former is more universally dreaded and pitied, the influence of beautiful sound on the mind and body, through the microscopic caverns of the ear, is so marvellous that attention is being drawn by scientists to the effects to be produced by music, and to the service it may be made to render, not only to the body personal, but to the body politic. For it is, indeed, in its loftiest manifestation, not only a medicine, but a language as universal as truth, of which even mathematically it is a supreme manifestation, and is to be understood by men of every nation under heaven, who well may be amazed and marvel when they know its potency. Commentators have differed in their ideas of what "the gift of tongues" was; but it is a significant thought that the Apostles, on that early morning of the Day of Pentecost, may have been moved to pour forth their ecstasy of love in sacred concord, as the Spirit gave them utterance, and to express the theme of their Master in harmonies so simple yet so grand, so old yet so new, that by the very beauty of their thought, by the rapt expression of their countenances and by the concentrated uplifting of their voices in prophetic strain, their auditors, who at the sound came together in

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multitudes, must have felt, each one, that his innermost soul had been appealed to and touched in an indelible manner by that mysterious psalm which expressed the essence of the higher life, and that he had heard, "every man in his own tongue wherein he was born," the holy strain of the song of beauty which had already come to help the world. He that hath ears to hear, let him heed it; for it is one of the mightiest agencies for good that ever came the way of indifferent humanity.

Nowhere in the world, since the inception of Christendom, when civilization in its ceaseless swing about the globe was at one of its flood tides, has such a gathering of possibilities taken place as upon the shores of this land,—so astounding in its achievements, so bewildering in its probabilities. Each emigrant has had—or he never would have reached us—courage if not wealth, Pluck with Poverty, and the precious Perhaps in the pocket; and in the joy of a wider life he sang—even the slave in his chains sang louder than the rest—in the natural recreative outpouring that simple music can give the simple mind in the sound body. When we consider upon how many Old World nations, the height of whose culture is an earnest of their musical advancement, we have drawn for our population, and, further, when we reflect that the character even of the peasants of nearly every one of these lands is, from some remote source, beyond a doubt more prolific of tune than that of the average Anglo-Saxon, what wonder that the sowing of a few of Fafner's dragon-teeth should bring up bands of ready-equipped musicians and armies of listeners who would dance to their piping or march to their trumpeting, to the death if need be, but more readily, and more likely as time goes on, to the peaceful and infinitely ampler state of existence to which, to a degree as yet unimagined, the world shall attain, largely through the direct influence of music.

The most cursory glance at the materials used, up to the present, in the erection of our edifice will show that, like the bricks of some colonial house, most of them have been imported from across the sea, and that until very recently but little of note has been of native growth and that nothing was indigenous to the soil save a few Indian chants, war-songs and lullabies, which are at last being transcribed and rescued from total extinction.

The first sounds of the music of civilization to greet the savage ear were no doubt the hymns of Mother Church; but saturated

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as this country has since been by her powerful influence through the influx of millions from Catholic countries,—Spain, Italy, France, Ireland,—it has been the individual who sang because he was a man first and foremost, and gave expression to his natural tendencies in the familiar strains of his own land, heedless of religious beliefs, who was the moving spirit in our musical growth. Art has nothing to do with Creed, and the Church of Rome, at least, has done nothing to foster music in our midst in an intelligent manner. Her ministrations to the present time have been of as little value in this respect as was the great canvas of Titian, buried in a forgotten church in the heart of Mexico, to the development of painting in America. Her ability to assist is, however, so enormous that—to wipe out the remembrance of the usual performance of the Drinking Song from "Traviata," or some equally inappropriate selection, at the Elevation of the Host—would that some enthusiast were moved to confer a lasting benefit upon his church and the public, by devoting a large fund to the collection and publication in America of the greatest masses and of other sacred music that has been used by the Catholic Church from the times of Palestrina, paying particular attention, as is now being done in England, to the resuscitation of the superb works of Tallis, Byrd and others of that school. The same should be done for the Greek and Russian Churches. That the Jews have let any beauty slip from their ritual is not to be believed; and the influence of that marvellous race is one of the most powerful in our musical life to-day.

It may with reason be urged that, for a long time, Protestantism was of but small musical value to the growing land. The Puritan with his mournful psalms, and the Quaker with none, were, verily, of no assistance at all; and if subsequently the Church of England set us a high standard, and the music of our own Episcopal Church is of artistic value, it is to the animus of the people rather than to any sect that we must look for the ultimate development of our possibilities.

The voice of the guitar, and the languor and lilt of the "Paloma" and "Habanera," say about all that is to be said as yet for Spain, but who can divine what may in time be the result of the closer mingling of our races? In her blood is the old Latin power; and the effects of the same sun that shines on Italy and on our own Southern shores will surely be felt. To Italy we

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owe an enormous debt of gratitude for having sent her choicest minstrels to rejoice our hearts with their song; while the operas they interpreted were for a long time, and still are by many, accepted as the ultimate expression of dramatic music. Certain it is that a distinct school at its height was handed over to us, ready made. This was not altogether so in the case of England, which, as we shall presently learn from Mr. Dolmetsch and his old instruments, was, three centuries ago, the most musical country of Europe; for when we began to receive what she had to give, her former art was all but forgotten and her ablest men were foreigners. To revive the masterpieces of the old English School and transplant them here is a noble task for the efforts of an enthusiast, who may render a like service to the sadly neglected gems of the Madrigal Schools of Holland and Italy. France, though possessing an individuality as great as that of any other country, has, with the exception of Gounod and Bizet, not yet produced composers of sufficient force or form to go to the ends of the earth with especial effect. Yet we, of all people, receive with eagerness that of greatest worth in the works of her composers, which are not only rendered here to the best advantage but assimilated to the fullest extent. The Hibernian Celt across the bit of sea has, in the airs of his Emerald Isle, much of the national spirit of the Gaul. No troubadour ever sang melodies of as great beauty as those of his ancient race, relics of a time when the highest art and poetry flourished in Ireland; may it be that the spirit of those days shall at length alight upon us, through the innumerable progeny of their descendants that fill our country! As the music of Russia, Norway and Hungary is finding willing ears among us, it cannot be but that the people of these extraordinary and diverse races within our gates shall ultimately and with great power give expression to the harmonious elemental forces yet lying dormant within them. Account, too, must be taken erelong of the effect that Japan may have upon us; for, while we may think her music barbarous and strange, there must be great beauty in it, from the very fact that it is so assiduously cultivated by the most artistic nation upon earth. The negro is ever with us, and by virtue of his wonderful natural ability is certain to be a powerful factor in the life of music in the United States.

To the master minds of Germany, however, the world is in-

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debted for the highest and best in musical art; and we owe unbounded gratitude to her people for their zeal in making it known and beloved by us, and for educating us in the best direction. Bach, Mozart, Handel, Beethoven, Schubert, Schumann, Mendelssohn, Brahms, Wagner, and scores of others—what a stupendous galaxy! Let it not be forgotten that they, with all the best of whatsoever nation, belong to us and are part of our inheritance, and withal the part most potent in the development of the best that is in each section of the heterogeneous mass, as each recognizes and takes pride in the great names of its race. We are made up of many, it is true, and their distinctive qualities cannot soon become obliterated; but we speak a uniform language; and, though Music has dialects, yet she is one of the great family of Arts, as races are of the human family, and from out the unfathomed spaces of nature she speaks to man in the miraculous universal tongue, through an intimate acquaintance with which he may be raised from the ranks of materialism and made acquainted with the higher spheres of life. Though all may not attain, to all it is permitted to make an honest endeavor, and whoever does so has at least done that much for a noble cause, which at no distant time will be fraught with universal meaning.

The Anglo-Saxon has a good pair of lungs, which he enjoys using when, in company with others employed in a like manner, his self-consciousness is overcome; and, though the early settler of New England knew, perhaps, but little of the wealth of folk-songs that were his heritage, and naught of the store of Chamber Music that was still the joy of his more festive brethren at home, yet, obeying a natural impulse, he lifted up his voice in the austere congregation and, later, in the pious orgies of the revival meeting, until, by-and-by, the works of the great composers of Oratorio giving scope for glorified psalm-singing, he readily seized the opportunity, and in 1815 the famous Handel and Hadyn Society of Boston sprang into existence, a model for many another similar organization throughout the country. All that seems to be needed in music is example, and women in goodly numbers, and men after them, as they are aroused to the call and find leisure, will follow it. The membership of these bodies is recruited largely from the vast numbers of singers in the choirs of churches scattered all over the land; while choruses of male voices, especially among the German element of the popula-

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tion, and Glee and Madrigal Clubs abound in every city. From the humble beginnings of the village brass band have grown, more by accretion than by education, it is true, the great orchestras of to-day, and these splendid bodies of instrumentalists, mainly foreign by birth or immediate origin, are, under the guidance of able conductors, doing glorious work in educating the public taste to a point undreamed of by such heroic pioneers as Theodore Thomas, happily still with us and in possession of all his old-time enthusiasm, and the late Dr. Leopold Damrosch. While laboring among and upon a mixed population whose first object was to live before it spent anything on more than mere idle amusement of the most obvious kind, these men must at first have been sadly discouraged by the actual indifference of the public of a generation ago, but immensely gratified, on the other hand, at the evidence of an awakening sense, apparent here and there, which has ultimately borne fruit beyond their fondest dreams.

Through perseverance, however, and the assistance of the individual artist whose drawing powers were undoubted, has the public been at last induced to come in and partake of the feast awaiting it. Music in the abstract appeals as yet to but a few, and the soloist is still, as he has ever been, and probably will continue to be, an absolute necessity to the greater public, under other than the more intimate conditions prescribed by the enjoyment of certain kinds of musical fare which clearly forbids the introduction of any element of an inappropriate character.

With the advent of Jenny Lind, of whose phenomenal success and exquisite voice the world has not yet ceased to talk, began a long procession of artists of all sorts, vocal and instrumental; indeed, some had come before her who did much to foster a love for grand opera, which without them could not have existed; and, although Italy was then considered the only "land of song," its prestige has of late been shared by other nations, Germany in particular having done more to send us models of earnestness and high dramatic power than any other. That the true musician works hard is no credit to him; he cannot help it; his enthusiasm and love impel him, why, he knows not, to rush into the element which he feels to be his own; and if his labors have resulted in a bettering of public taste, they are worth tenfold what has been expended out of the general purse. The willingness of the people to make sacrifices in order to hear what it knows to be good, is an

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undoubted indication of its desire to be raised beyond its present level; the general impatience of what is mediocre in art clearly shows how extraordinary has been the growth of the sense of the beautiful, and the demand for the best only is already imperative, even though it be a diet of nightingales' tongues.

If an interest in music of the instrumental order has been longer in being aroused, it is partly because that class of music is less personal; and again, because—as Tennyson says, "things seen are mightier than things heard"—the average listener will, by reason of the varied background of light and color, scenery and costume, consider opera to be more attractive than the orchestral concert. To another class of listener, in the words of one who should know, "Oratorio is only opera spoilt;" and while a symphony, as compared to the less complex music for solo instruments, is to many such a mass of moving melodies as to be unintelligible and bewildering, yet it is to others, equally ignorant, so enthralling that the heights of celestial beauty seem to have been reached in the polyphonies of the modern orchestra. Surely such an one, in his inmost heart, must have been the unsophisticated Scot, who alleged that his ecstatic expression of countenance was the result of a vision of Heaven the night before. "Eh, mon, I dreemit that there was seeven and thirty pipers, a' playin' deeferent tunes at the same time; eh, it was just Heeven!"

Come to us, Sandy, we will gladly give you a home; for your enthusiasm is the best thing a growing and artistic nation can have. We want all of your kind we can import.

And so the mass has been worked over and over, the native American educated, the result added to, and its value enhanced, by the influx of highly trained arrivals from foreign lands. Individual powers have been brought out and improved, the taste for choral and instrumental works fostered, the number of bodies performing them increasing rapidly and extending their influence by producing, more frequently than ever before, not only the great works of the past, but all that is best in contemporaneous musical literature, while to the desire to improve individual talent there seems to be no end. Young men and maidens, old men and children, all study music of some sort; even in the public schools it is obligatory in the elementary grades—to learn to sing being the chief object, and upon the line of least resist-

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ance. Surely it will be a long time until "the voice of the turtle" is no longer heard in the land, and yet it is apparent that there is still an infinity to be done in the way of educating the masses to enjoy music rationally, and encouraging them to become familiar with those masterpieces of former times that have been neglected among us, but which are familiar to the music lover of Europe. This is bound to come, but how to bring it about has been something of a puzzle to those most willing and yet unable to do so, for a concert without an audience is practically useless, and the people prefer their favorites and are with difficulty induced to listen to the words of an unknown stranger. The latter must be introduced in the company of his compeers or betters, and properly set forth among them, or he may fail to be given the meed of praise which is his due. To succeed as a fine art, music must succeed as a financial undertaking; and to this notable end it were well if one or more of the increasing number of wealthy men in every community should maintain orchestras containing the best available talent.

Music is being made to render its priceless services to man—or, rather, should not the opposite be said, man induced to lend his serious attention to its voice, compelled, if need be, to come in and partake of the feast? Nature is ever ready to yield of her best ungrudgingly to those who seek her, and rich mines of information are standing all but open, obscured only by the dust of ages, and awaiting the explorer's unsealing hand, as does some Egyptian tomb, to give forth its store of beauty fresh as when it was laid away with the dead of a forgotten era. The enthusiast is the explorer; and in this land, although we have as yet nothing approaching an American School, such a school will surely come into existence, partly through knowledge of what exists, and partly on account of the extraordinary freshness and spirit which seem to characterize all that is accomplished in this country. Indeed Dvorák, in his American Symphony, spread the dusky melodies of Africa thick upon his pages, in the evident belief that the trend of our national music lay in that direction.

Whatever may be the ultimate nature of the Genius of American Music, the rhythms of nature will last as long as the foot of man treads the earth in march or dance, yet the instruments of his past are being superseded by others ampler far to convey the fuller meaning of his thoughts. The tom-tom and the banjo will

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disappear; the war-dance and the rag-time tune will be merged into the sounds of the orchestra, as have the march and the jig, and will appear to us wrapped in the garb of civilization. No section in so broad a land is likely alone to dominate the whole fabric. True, some individual of prominent native force may set the seal of his personality upon the music of his time, and do his distinguished share in building the edifice of sound, as has the young British subject, Mr. Coleridge Taylor, whose case is so remarkable that mention must be made of it, with the declaration that, had it happened here, the insight of Dvorák would have been taken as a notable prophecy; and who shall say that the dream of the creative artist is not that? Nature bestows her gifts upon all sorts and conditions of men, and it will ever remain a mystery where her hand will fall. Some thirty years ago, a young negro was sent by a missionary from the heart of Africa to study medicine in London. While there he begat a son of one of the daughters of the North, and returned to the bosom of his people, carrying with him for the benefit of his race the healing art he had acquired, but leaving behind, in his offspring, a genius to rejoice thousands with the outpourings of his nature. When the boy was but a small child he was found playing the piano in so remarkable a manner that his education was undertaken by a rich bachelor, who now has the satisfaction of seeing his protégé a shining light. His works are being performed throughout the Continent, while his future is being watched with the greatest interest. But let it be noted and insisted upon that, had not the intelligent man of sufficient means been forth-coming, the whole of the young negro's latent possibilities might have remained forever undiscovered, and his distinctive personality as evinced in his works lost to the world. For, though the musician, like the poet, is "born, not made," he must possess even greater skill, and he must have larger special training in order to deliver his message in a manner that will be approved. He is the apostle of the beauty of sound, and his creations are rendered by others who come after him and disseminate the seed which will grow up to feed multitudes yet unborn.

Music has no country, but as this land is the home of all who choose to come and be merged into the latest development of civilization, so do we welcome all the Muses, led by Song, and cordially invite them to educate and uplift us. Born composers

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are but few in number, but thousands take up their works and teach them, sing them and play them. Not to all is it given to be able to comprehend the higher flights of music; but the number is rapidly increasing with education, until it may fairly be said that America stands at the head of the nations in its appreciation of the Art to-day. Whatever may be the reason for this, true it is that we want only the best in science, architecture, literature, the decorative arts and music; and in music we are rapidly reaching a point when it will cease to be considered among amusements, or treated as such by the majority. A sense of what is right and fitting forbids frivolity; educated people in their serious moments have no time to spare for anything but the best of the different varieties put before their notice. Each to his taste; one may enjoy opera, another chamber music; one may care for oratorio, another for symphonies; one may delight in vocal, and another in instrumental music; but, grave or gay, lively or severe, we have no place for anything but the highest, we are impatient of the mediocre. A musical conscience is being developed that cannot endure a falsehood; the true music lover cannot lie about it; it is too sacred, too intimate a part of himself. Some are born with this sense highly developed, but in most it must be educated; and though our schools of music may not be yet as large, thorough or well known as those abroad, they are advancing by leaps and bounds and doing admirable service in enlarging the horizon of the amateur.

It is to the individual effort of the enthusiast that the public owes much of its enjoyment. What admirable work is being done by Frank Damrosch in The People's Choral Union, which teaches masterpieces of choral art to thousands of wage-earners, who are thus not only made to know and love their beauty, but are kept out of mischief and induced instead to associate themselves with thoughts infinitely above the cares of their none too interesting existence. The same pioneer, through the medium of The Symphony Concerts for Young People, is placing before children, young and old, the great works that all should know, while in the Oratorio Society he is keeping up the study and knowledge of the recognized works of that special répertoire, besides introducing the best among modern compositions; and in The Musical Art Society he is laboring with a body of picked and paid singers in the field of madrigals and the less known and

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more intimate compositions intended to be rendered by a smaller body of voices for a class of amateurs whose interests and tastes are highly cultivated.

The name of Walter Damrosch is too well known to need more than passing mention, but as the Director of the Philharmonic Society, and through the other orchestral bodies which have come under his direction since his father bequeathed his baton to his keeping, he has been an educator of public taste; while to his zeal for Wagner, we owe a large part of our acquaintance with the works of that master, and the introduction of many of the most noted foreign singers of the day. To these two enthusiasts, who desire to do nothing else and could perform no greater service, the profound thanks of the community are due, for their influence has always been of the best and their work of the highest.

The Boston Symphony Orchestra, founded and sustained by Henry L. Higginson, is probably the finest body of instrumentalists in existence. Directed by one of the most celebrated conductors of the time, it is a splendid example of what good may be done by the philanthropists in Music. Andrew Carnegie is doing the same in Pittsburg; and in other cities individuals, or a number of interested people of means combining together, are performing a like service. That the names of Gericke, Herbert, Van der Stücken, Mollenhauer, Scheel, and others, are constantly before the public is a guarantee that the best work is being performed by the bodies of players who obey their magic wands; but of all living men, Theodore Thomas it is to whose labor of love we owe most, for to him we have looked, more than to any other, for our induction into the mysteries and beauties of the enormous mass of instrumental literature, and for our education in the symphonic works of the great masters.

It cannot be said that America is yet a country of composers, but that she is rich in executive ability is undoubted, while the growth of societies for the study and cultivation of music among amateurs is too remarkable to be passed over without comment. These organizations number about one thousand, three-fourths of them having sprung into existence since 1890, their active membership aggregating a total of about 70,000—exclusive of the vast number of the choirs of churches of all denominations, of which there are in the Episcopal body alone over five hundred "vested" and choral bodies.

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The existence of Ladies' Clubs in smaller cities throughout the country is a feature of musical life entirely new to the world; they have been called into existence for the purpose of bringing well-known artists, under agreeable conditions, to perform their best work in towns in which there may not be a profitable general public, but where, through this means of calling together and concentrating attention, a large concourse of truly interested music lovers is invariably gathered together with the best results to both auditors and performers. The influence of these societies for good in the dissemination of the highest forms of musical achievement is undoubted.

The example of the oldest musical festival association,— that held annually, since 1858, in Worcester, Massachusetts—has been followed by Cincinnati and other cities throughout the country, while much is being done to foster the knowledge of orchestral music in the open air in some such way as that so largely in vogue in Germany.

Since music must be known to be appreciated, and since its worth is so widely recognized and so generally embraced, the duty of all who have to do with it is manifest. Only the best must be taught. No person who professes to be one of its disciples, or to expound it, should hold any place in the public eye unless he be not only eminently fitted for his task, but willing and able to uphold the highest standard. Everything should be done to cultivate real ability wherever found, and discouragement should be unsparingly meted out to the majority of would-be professionals; for a public career is much too responsible and difficult an undertaking to be lightly or inconsiderately adopted. This warning is to be heeded particularly by aspirants for vocal honors; and that their training should be as long and careful as that required by instrumentalists cannot be too earnestly insisted upon.

There never was a time when the interest in everything pertaining to the art was so general; and the amount of high-class criticism is an index and an undoubted reflex of the public mind. A valuable contribution to literature of this sort, by the *doyen* of critics, is Mr. Henry E. Krehbiel's book "How to Listen to Music," which should be read by all who desire to derive really intelligent enjoyment from the art.

Nowhere more than in America is the disappearance of old-fashioned prejudices so distinctly marked, and the necessities and

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freedom of modern life have so widened the boundaries of what has been hitherto considered right for young men and women of birth and education, that the result of the adoption of music as one of the learned professions by thousands of these is having upon the public an effect which it is impossible to estimate. Still, there is an untrodden field for some benefactor yet to come, in founding what might be called The University of Music, which, having affiliations with all schools previously existing among us, could extend its influence throughout the country, by discovering, fostering and importing the best talent, and publishing and supplying the best music of all schools to the public; by opening circulating libraries where all the compositions of noted composers of all times might be obtained; and by superintending, if not actually carrying on, the general instruction, not only of individuals, but of the masses. Such an institution, in order to make its work known and universally felt, would maintain a staff of singers and instrumentalists who might tour the country, or whose services could be obtained to perform at concerts and recitals the music of various kinds and countries, making it known historically before the countless audiences which would be only too glad to receive such enlightenment. From the Gregorian chant to the compositions of Palestrina, and the masses of Beethoven; from the lays of Troubadours and Minnesingers to the art songs of Germany; from the operas of Handel to those of Wagner, every phase of vocal art would be traversed. From the lyre to the harpsichord and the piano, from the viol to the string quartette, from "the instrument of ten strings" to the modern orchestra, the growth of music would be clearly demonstrated, its permanence as one of the most lofty, though most evanescent, of the liberal arts would be assured, the influence of the charlatan would be kept within bounds, and even the least attentive class of the population, unconsciously to themselves, attracted, cultivated, raised from the sordid affairs of the moment, soothed, cheered, ennobled, and inspired with fresh courage to face the problem of life.

To the mind awake to music in a land like ours its permanent value as a profound factor in Social Science cannot long remain hidden; for it is a civilizing influence of the most potent character.

DAVID BISPHAM.

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WOMAN'S HALF-CENTURY OF EVOLUTION.

BY SUSAN B. ANTHONY.

THE status of woman in the United States fifty years ago, the progressive steps by which it has been improved, present conditions, future probabilities—in fact, a résumé of the great movement in which Elizabeth Cady Stanton has been the central figure through two generations—this is the subject assigned me to consider in the brief space of one magazine article!

The title I claim for Mrs. Stanton is that of leader of women. Women do not enjoy one privilege to-day beyond those possessed by their foremothers, which was not demanded by her before the present generation was born. Her published speeches will verify this statement. In the light of the present, it seems natural that she should have made those first demands for women; but at the time it was done the act was far more revolutionary than was the Declaration of Independence by the colonial leaders. There had been other rebellions against the rule of kings and nobles; men from time immemorial had been accustomed to protest against injustice; but for women to take such action was without a precedent and the most daring innovation in all history. Men of old could emphasize their demands by the sword, and in the present century they have been able to do so by the ballot. While they might, indeed, put their lives in peril, they were always supported by a certain amount of sympathy from the public. Women could neither fight nor vote; they were not sustained even by those of their own sex; and, while they incurred no physical risk, they imperilled their reputation and subjected themselves to mental and spiritual crucifixion. Therefore I hold that the calling of that first Woman's Rights Convention in 1848 by Mrs. Stanton, Lucretia Mott and two or three other brave Quaker women, was one of the most courageous acts on record.

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It must be remembered that at this time a woman's convention never had been heard of, with the exception of the few which had been called, early in the anti-slavery movement, by the women who had been driven out of the men's meetings and had formed their own society; but even these were almost wholly managed by men. A few individual women had publicly advocated equality of rights—the number could be more than counted on one's fingers—but a convention for this purpose and an organized demand had been till then undreamed of. The vigor and scope of the Declaration of Sentiments which was presented and adopted at this memorable meeting, held at Mrs. Stanton's home, in Seneca Falls, New York, are in nowise diminished by comparison with the Declaration of the forefathers proclaimed exactly seventy-two years before. It began, indeed, with the preamble of the Declaration of Independence, substituting "women" for "men" and "colonies"; and it continued:

"The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her. To prove this, let facts be submitted to a candid world:

"He has never permitted her to exercise her inalienable right to the elective franchise.

"He has compelled her to submit to laws in the formation of which she had no voice.

"He has withheld from her rights which are given to the most ignorant and degraded men—both natives and foreigners.

"Having deprived her of this first right of a citizen, the elective franchise, thereby leaving her without representation in the halls of legislation, he has oppressed her on all sides.

"He has made her, if married, in the eye of the law, civilly dead.

"He has taken from her all right in property, even to the wages she earns.

"He has made her morally an irresponsible being, as she can commit many crimes with impunity, provided they be done in the presence of her husband. In the covenant of marriage, she is compelled to promise obedience to her husband, he becoming, to all intents and purposes, her master—the law giving him power to deprive her of her liberty and to administer chastisement.

"He has so framed the laws of divorce, as to what shall be the proper causes, and to whom the guardianship of the children shall be given, as to be wholly regardless of the happiness of woman—the law, in all cases, going upon a false supposition of the supremacy of man, and giving all power into his hands.

"After depriving her of all rights as a married woman, if single and

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the owner of property, he has taxed her to support a government which recognizes her only when her property can be made profitable to it.

"He has monopolized nearly all the profitable employments, and from those she is permitted to follow, she receives but a scanty remuneration.

"He has closed against her all the avenues to wealth and distinction which he considers most honorable to himself. In theology, medicine, and law she is not known.

"He has denied her the facilities for obtaining a thorough education—all colleges being closed against her.

"He allows her in Church, as well as State, but a subordinate position, claiming Apostolic authority for her exclusion from the ministry, and, with some exceptions, from any public participation in the affairs of the Church.

"He has created a false public sentiment by giving to the world a different code of morals for men and women, by which moral delinquencies which exclude women from society are not only tolerated but deemed of little account in man.

"He has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and to her God.

"He has endeavored, in every way that he could to destroy her confidence in her own powers, to lessen her self-respect and to make her willing to lead a dependent and abject life.

"Now, in view of this entire disfranchisement of one-half the people of this country, their social and religious degradation—in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed and fraudulently deprived of their most sacred rights, we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of the United States.

"In entering upon the great work before us we anticipate no small amount of misconception, misrepresentation and ridicule; but we shall use every instrumentality within our power to effect our object. We shall employ agents, circulate tracts, petition the State and national Legislatures, and endeavor to enlist the pulpit and the press in our behalf. We hope this Convention will be followed by a series of Conventions, embracing every part of the country."

"Firmly relying upon the final triumph of the Right and the True, we do this day affix our signatures to this Declaration."

To emphasize these most radical sentiments the following resolutions also were adopted:

"The great precept of nature is conceded to be, 'that man shall pursue his own true and substantial happiness.' Blackstone, in his Commentaries, remarks, that this law of Nature being coeval with mankind and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, in all countries, and at all times; no human laws are of any validity if contrary to this, and such of them

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as are valid derive all their force and all their validity and all their authority, mediately and immediately, from this original; therefore,

"*Resolved*, That such laws as conflict, in any way, with the true and substantial happiness of woman, are contrary to the great precept of nature and of no validity; for this is 'superior in obligation to any other.'

"*Resolved*, That all laws which prevent woman from occupying such a station in society as her conscience shall dictate, or which place her in a position inferior to that of man, are contrary to the great precept of nature and therefore of no force or authority.

"*Resolved*, That woman is man's equal—was intended to be so by the Creator—and the highest good of the race demands that she should be recognized as such.

"*Resolved*, That the women of this country ought to be enlightened in regard to the laws under which they live, that they may no longer publish their degradation by declaring themselves satisfied with their present position, nor their ignorance by asserting that they have all the rights they want.

"*Resolved*, That inasmuch as man, while claiming for himself intellectual superiority, does accord to woman moral superiority, it is preeminently his duty to encourage her to speak and teach, as she has an opportunity, in all religious assemblies.

"*Resolved*, That the same amount of virtue, delicacy and refinement of behavior that is required of woman in the social state should also be required of man, and the same transgressions should be visited with equal severity on both man and woman.

"*Resolved*, That the objection of indelicacy and impropriety, which is so often brought against woman when she addresses a public audience, comes with a very ill-grace from those who encourage by their attendance her appearance on the stage, in the concert or in feats of the circus.

"*Resolved*, That woman has too long rested satisfied in the circumscribed limits which corrupt customs and a perverted application of the Scriptures have marked out for her, and that it is time she should move in the enlarged sphere which her great Creator has assigned her.

"*Resolved*, That it is the duty of the women of this country to secure to themselves their sacred right to the elective franchise.

"*Resolved*, That the equality of human rights results necessarily from the fact of the identity of the race in capabilities and responsibilities.

"*Resolved*, therefore, That, being invested by the Creator with the same capabilities and the same consciousness of responsibility for their exercise, it is demonstrably the right and duty of woman, equally with man, to promote every righteous cause by every righteous means; and especially in regard to the great subjects of morals and religion, it is self-evidently her right to participate with her brother in teaching them, both in private and in public, by writing and by speaking, by any instrumentalities proper to be used and in any assemblies proper to be held; and this being a self-evident truth, growing out of the divinely implanted principles of human nature, any custom or authority adverse

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to it, whether modern or wearing the hoary sanction of antiquity, is to be regarded as a self-evident falsehood and at war with the interests of mankind."

In all the conventions which have been held during the past fifty-four years, the impassioned addresses made, the resolutions presented, the hearings before legislative bodies, there has been nothing to add to these declarations made by a woman only thirty-three years old, born and bred in the midst of the most rigid social, civil and religious conservatism. They illustrate vividly the conditions which existed in that day, when the simplest rudiments of education were deemed sufficient for women; when only a half-dozen unremunerative employments were open to them and any work outside the home placed a stigma on the worker; when a woman's right to speak in public was more bitterly contested than her right to the suffrage is to-day. The storm of ridicule and denunciation which broke over the heads of the women who took part in this convention never has been exceeded in the coarsest and most vituperative political campaign ever conducted. The attacks were led by the pulpit, whose influence fifty years ago was far greater than at present and whose power over women was supreme. The press of the country did not suffer itself to be outdone; but, taking its cue from the metropolitan papers of New York, contributed its full quota of caricature and misrepresentation.

At the beginning of 1848, the English Common Law was in force practically everywhere in the United States. Its treatment of women was a blot on civilization only equalled in blackness by the slavery of the negro. The latter, technically at least, has now disappeared. The former dies slowly, because it cannot be eradicated by fire and sword. Lord Coke called this Common Law "the perfection of reason." Under its provisions the position of the wife was thus stated by Blackstone:

"The very being or existence of the woman is suspended during the marriage, or at least is incorporated and consolidated into that of the husband, under whose wing, protection and covert she performs everything. She is, therefore, called in our Law-French a *femme-covert*, is said to be *covert-baron*, or under the protection and influence of her husband, her baron or lord.

"The husband also, by the old law, might give his wife moderate correction. For, as he is to answer for her misbehavior, the law thought it reasonable to intrust him with this power of restraining her by domestic

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chastisement in the same moderation that a man is allowed to correct his apprentices or children. But this power of correction was confined within reasonable bounds, and the husband was prohibited from using any violence to his wife, except as lawfully and reasonably belongs to a husband for the sake of governing and disciplining his wife. The Civil Law gave the husband the same or a larger authority over his wife, allowing him for some misdemeanors to beat his wife severely with whips and cudgels; for others only to administer moderate chastisement.*"

Other provisions of this law were as follows:

"By marriage, the husband and wife are one person in law; that is, the legal existence of the woman is merged in that of her husband. He is her baron or lord, bound to supply her with shelter, food, clothing and medicine, and is entitled to her earnings and the use and custody of her person, which he may seize wherever he may find it."†

"The husband, being bound to provide for his wife the necessaries of life, and being responsible for her morals and the good order of the household, may choose and govern the domicile, select her associates, separate her from her relatives, restrain her religious and personal freedom, compel her to cohabit with him, correct her faults by mild means, and, if necessary, chastise her with moderation, as though she was his apprentice or child. This is in respect to the terms of the marriage contract and the infirmity of the sex."‡

It does not seem necessary to add further particulars as to the condition of women in the middle of the century just closed and at the time Elizabeth Cady Stanton began the almost superhuman task of setting them free from the bondage of centuries. The first cleft in the infamy of the Common Law was made almost simultaneously by the Legislatures of New York, and Pennsylvania, in the spring of 1848, by special statutes giving a married woman the right to hold property. This was the first glimmer of freedom from legal slavery which ever had appeared to women; and it is not surprising that it scarcely penetrated the darkness in which they had been enveloped for untold ages, or that they rejected with scorn those who came to deliver them.

The beginning of my friendship and work with Mrs. Stanton dates from the summer of 1851. I was at that time thirty-one years old and had been teaching since I was eighteen. My father was deeply interested in the anti-slavery cause; and Garrison, Phillips, Pillsbury, Channing, Frederick Douglass and other noted reformers were often guests in our home. The school-room

* Blackstone's Commentaries, I., 356, 366.
† Id., 442.
‡ Id., 444.

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had grown insupportably narrow. I had no personal grievances, as my own family, in common with all the Friends, or Quakers, recognized the equality of woman in all the relations of life; but I was stirred by the terrible injustice which I saw meted out to women on every hand, and I realized the especial need of their voice and influence in the two great causes of temperance and anti-slavery. The necessity for the ballot had not appealed to me, as, in those days, Quaker men were not in the habit of voting. But in October, 1850, my consciousness was awakened by reading in the *New York Tribune* a full and favorable account of a Woman's Rights Convention held in Worcester, Massachusetts. The next year I became acquainted with Mrs. Stanton, and she soon fired my soul with all her own zeal for the right of the suffrage. Among my old papers is the following appeal, which, as Secretary of the New York State Temperance Society, I sent out in the spring of 1852, accompanying petitions for what was then known as the Maine Law:

"Women, and mothers in particular, should feel it their right and duty to extend their influence beyond the circumference of the home circle, and to say what circumstances shall surround children when they go forth from under the watchful guardianship of the mother's love; for certain it is that if the customs and laws of society remain corrupt as they now are, the best and wisest of the mother's teachings will soon be counteracted. . . . Woman has so long been accustomed to non-intervention with law making, so long considered it man's business to regulate the liquor traffic, that it is with much cautiousness she receives the new doctrine which we preach—the doctrine that it is her right and duty to speak out against the traffic and all men and institutions that in any way sanction, sustain or countenance it; and, since she can not vote, to duly instruct her husband, son, father or brother how she would have him vote, and, if he longer continue to misrepresent her, take the right to march to the ballot-box and deposit a vote indicative of her highest ideas of practical temperance."

This was my first declaration for woman suffrage, which I have since repeated in season and out of season at every possible opportunity for fifty years. In a short time the conviction became so dominant that the franchise was the lever with which women could lift all other reform movements, that I abandoned everything else and devoted the whole force of my being to securing this fundamental power for women. The only departure from this rule was made during the Civil War, when every issue but one was held in abeyance. Mrs. Stanton and I sent out a call

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for a mass meeting in Dr. Cheever's church, New York, where the Woman's Loyal League was formed, on May 14th, 1863. Nearly 400,000 signatures to petitions for emancipation were secured, and Charles Sumner and Henry Wilson wrote us repeatedly that these petitions formed the bulwark of their demand for Congressional action to abolish slavery.

The moment the war was over—in 1865, when the Fourteenth Amendment was under discussion and it was proposed to introduce the word "male" in the National Constitution for the first time—I resumed my efforts for woman suffrage and have never deviated from the straight and narrow path which leads to this goal. During late years Mrs. Stanton has held that, as the suffrage movement is steadily going forward by its own momentum, women should take up other public questions which so evidently need the combined wisdom of men and women in their solution. I have maintained my original attitude, believing that for the leaders of the work for woman suffrage to identify themselves with the other issues of the day is to create animosities and alienate supporters of a cause which can achieve victory only through the assistance of all religious bodies and political parties. I have sympathized thoroughly, however, with Mrs. Stanton's rebelliousness against that condition of dependence which compels women to remain mute and inactive in the great movements of the time, as the only means of achieving freedom to speak and act effectively in the future.

To follow in detail the steps by which women have reached their present position of comparative social, educational, financial and legal independence, would be to write a chapter for each of the fifty years which have intervened since the first few brave souls dared lift up their voices in a cry for liberty. The organized movement for the emancipation of women began in earnest soon after the close of the Civil War. Every one of the past thirty-five years has witnessed the breaking of a link in the chain. The going forth of hundreds of thousands of men from the farm, the work-shop, the factory, the store—from every field of employment —to swell the ranks of the army, made it absolutely necessary for women to step into their places in order that the countless wheels of the world's work should not stop. The vacancies left by those who never returned, and the rapidly-growing tendency to remove domestic products from the home to the factory, practically set-

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tled the question of woman's entering the wage-earning occupations.

The period immediately after the War was marked by the speedy increase and enlargement of State Universities and the admission of women. Their example was followed by many of the other colleges and universities of the country, and in 1890 by the founding of the two great endowed institutions, Stanford and Chicago, with the admission of women to every department. Although the latter has just made the egregious blunder of modifying its original plan, this action represents only the individual scheme of one man and not a reactionary tendency. The question of the higher education of woman may be regarded as decided in her favor.

The right of women to organize for public work is now universally recognized and approved. They have at present in the United States over one hundred national organizations, with thousands of local clubs and societies comprising millions of members, and their influence over the general conditions of the various communities is beyond computation. The right of women to speak in public is not only everywhere conceded but, given a man and a woman with equal abilities, the average audience would prefer to hear the latter.

The legal features of the revolution have been quite as marked as its other phases. An examination, doubtless, would show that in not one State does the Common Law now prevail in its entirety. In many of them it has been largely obliterated by special statutes. There has been no retrogressive legislation with respect to the status of women before the law. In the majority of the States, a married woman may now own and control property, carry on business and possess her earnings, make a will and a contract, bring suit in her own name, act as administrator and testify in the courts. In one-fifth of the States, she has equal guardianship with the father over the minor children. Where formerly there was but one cause for divorce, the wife may now obtain a divorce in almost every State for habitual drunkenness, cruelty, failure to provide and desertion on the part of the husband; and he can no longer, as of old even though the guilty party, retain sole possession of the children and the property. The general tendency of legislation for women is progressive, and there is not a doubt that this will continue to be the case.

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I do not wish to be understood for a moment, however, as maintaining that woman stands on a perfect equality with man in any of the above-mentioned departments—in the industries, education, organization, public speaking or the laws. She simply has made immense gains in all, and her standing has been completely revolutionized since Mrs. Stanton announced the beginning of a new Reformation. Woman never will have equality of rights anywhere, she never will hold those she now has by an absolute tenure, until she possesses the fundamental right of self-representation. This fact is so obvious as to need no argument. Had this right been conceded at the start, the others would have speedily followed; and the leaders among women, instead of spending the last half-century in a constant struggle to obtain their civil and political rights, might have contributed their splendid services to the general upbuilding and strengthening of the Government. The effort for this most important of rights has had to contend not only, like the rest, with the obstinate prejudices and customs of the ages, but also with the still more stubborn condition of its hard and fast intrenchment in constitutional law. It is not merely a board of trustees or a body of legislators who must be converted to the justice of extending this right to women, but also the great masses of men, including the ignorant, the foreign-born, the small-minded and the vicious. A majority of the men in every State must give their consent at the ballot box for women to come into possession of this paramount right. Such has not been the case with any other step in the progress of women.

It is not necessary to consider the minor reasons why the enfranchisement of women has been so long deferred; but, in spite of the almost insuperable obstacles, there has been considerable progress in this direction. In some States, the Legislatures themselves can confer a fragmentary suffrage without the ratification of the voters. This has been done in about half of them, Kansas granting the municipal franchise, Louisiana, Montana and New York a taxpayer's franchise, and twenty-two States a vote on matters connected with the public schools. Within the last twelve years, four States have conferred the full suffrage on women—Wyoming and Utah by placing it in the constitutions under which they entered Statehood; Colorado and Idaho through a submission of the question to the voters. There is a strong basis

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for believing that within a few years several other States will take similar action.

The effect upon women themselves of these enlarged opportunities in every direction has been a development which is almost a regeneration. The capability they have shown in the realm of higher education, their achievements in the business world, their capacity for organization, their executive power, have been a revelation. To set women back into the limited sphere of fifty years ago would be to arrest the progress of the whole race. Their evolution has been accompanied by a corresponding development in the moral nature of man, his ideas of temperance and chastity, his sense of justice, his relations to society. In no department of the world's activities are the higher qualities so painfully lacking as in politics, and this is the only one from which women are wholly excluded. Is it not perfectly logical to assume that their influence would be as beneficial here as it has been everywhere else? Does not logic also justify the opinion that, as they have been admitted into every other channel, the political gateways must inevitably be opened?

There cannot be a doubt in the reasoning and unbiased mind that woman suffrage ultimately will prevail in every State in the Union. It will be the legitimate outcome of the spirit of our institutions, which is the direct expression of individual opinion. A deep feeling of regret always will prevail that the Liberator of Woman, Elizabeth Cady Stanton, could not live to see the complete triumph of her cause, as did those other great emancipators, Lincoln, Garrison and Phillips; but she died in the full knowledge that the day of its victory is clearly marked on the calendar of the near future.

SUSAN B. ANTHONY.

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THE ANTI-IMPERIALIST FAITH.

BY ERVING WINSLOW, SECRETARY OF THE NEW ENGLAND ANTI-IMPERIALIST LEAGUE.

MISGIVINGS are expressed in some quarters, more or less ingenuously, in regard to the attitude of the Anti-Imperialists. Those who desire to perpetuate the colonial policy which has apparently been forced upon the people of the United States by the events of the last four years, are solicitous to represent that opposition to this policy has ceased. They probably believe that a condition of apathy may be expected to follow an acquiescence in the inevitable, and that the work which we are doing in the outlying "possessions" may be carried on according to the will of the departments created to control them, and that the people of America will care as little about what is being done, in the East especially, as the Dutch care for what has been going on in Java for centuries.

It is an unquestionable fact that many of the chief newspapers of this country are allied with its great capitalists and aggregations of capital. Of course, it is in their interest chiefly that the exploitation of new territories is valuable. When there is no longer any demand for news from these regions, what wonder is it that these organs of "public opinion" should decline to give expression to mere sentiments intended to keep alive the principles of constitutional liberty, and to bring about the reversal of conditions which are deemed antagonistic to them? It is certainly fortunate, then, to have the opportunity of using these pages for the statement of the position of our movement and its organizations, whose activity may be expected to continue until right is done, or until the sparks of liberty are entirely extinguished among the descendants of the founders of the Republic.

The Anti-Imperialist movement had its first expression at a

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meeting at Faneuil Hall, Boston, on June 15th, 1898. In fact, those who promoted it were opposed to the war with Spain, believing that war to have been unnecessary (as has since been distinctly proved by the published correspondence of Minister Woodford) and believing that the immediate aggravation of the popular mind due to the alleged destruction of the "Maine" by an enemy was founded upon a delusion. The evidence is now pretty clear that the disaster to the "Maine" was caused by an internal explosion,—confirming the circumstantial proof gathered at the time and corroborated by the refusal of the United States authorities to allow an impartial investigation of the incidents. Had the President of the United States been actuated by the same convictions and by the same desire with which the Hon. Henry U. Johnson pleaded upon the floor of the House of Representatives, the hostilities need never have been entered upon which have led to such a train of tremendous evils, and which are threatening the very existence of the Republic.

The next stand of Anti-Imperialist opposition to the course of the government was in the effort to defeat the ratification of the treaty with Spain. The idea of the colonial policy had evidently well formed itself in the mind of the President, but those who were doubtful of voting to confirm the treaty were assured by the Administration, and by its friends in Congress, that ratification of the treaty was necessary before discussing the question of future relations with the "possessions" which Mr. McKinley had demanded from Spain.

Another stand was made when the Filipinos asked to be permitted to negotiate for peace; but negotiations were then, according to the Administration, not to be entertained.

The war went on and the Anti-Imperialist opposition to the cruel and unnecessary conflict was met with accusations of treason and renewed assurances that, when the war was over, the claims of the Filipinos might be considered.

Next, the war being at an end, a demand was made that the civil authority should have an opportunity to establish its influence before any final action was taken.

Then the decisions of the Supreme Court were to determine the relations which these outlying "possessions" should assume toward the American Constitution; but the decisions were so divided and so baffling that the country was again set adrift as to the

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permanent conditions under which these territories could be maintained constitutionally.

At last, the bill for the civil government of the Islands is passed by Congress, and those who oppose it are told that, on the taking of the census and the calling together of the Philippine Assembly, the people of the Philippines will have all the self-government for which they are fit, and that they may be educated in the course of generations to "self-government after the fashion of the really free nations;" though the President has lately told us, without limitation or qualification, that we ought "to govern the Philippines—well if possible—but to govern them." These words finally contradict the generous interpretation which some sanguine persons might have been inclined to read into a vague phrase in the President's message, and indicate that it was at the best but a feeler. By this gloss upon his original utterance, at all events, he has alienated the support of Anti-Imperialists. Mr. McCall, on June 26th last, in the House of Representatives, offered an amendment to the bill then pending, "Temporarily to provide for the affairs of civil government in the Philippine Islands and for other purposes," as follows:

"Insert the following as section 83:

"'In this first organic act, creating a civil government for the Philippine Islands, it is hereby solemnly declared to be the settled purpose of the Congress to extend to the inhabitants of those islands every aid in enabling them to develop the capacity for self-government, and, when such capacity shall have been developed, we pledge the faith of the Republic to confer upon them the right of self-government after the fashion of the really free nations.'"

This amendment was rejected, ayes 89, noes 128. Meanwhile, this bill is so contrived that the islands will not be brought, until 1904, into such relations to the United States that the Supreme Court can finally pass upon those important questions of tariff and constitutional law upon which its decisions for the temporary situation were made in certain cases last year.

It is well known to those who advocate the colonial policy that the international obligations supposed to be assumed by the United States in its new departure, which are not yet serious, will grow stronger month by month and year by year; and the investment of American capital and the establishment of American interests will tend to render the condition of things

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permanent, in a rapidly increasing ratio, with the progress of time.

It was, doubtless, a great surprise to the Republican Party, and in some degree to the country, that the whole subject should have been revived by the active discussion of it in Congress at the last session. There were undoubtedly elements in the Democratic Party willing to accept the *status quo,* and to remain a party in opposition merely to criticize or to purify, if possible, the colonial administration of the government; but the younger leaders of the Democratic Party in the Senate and the House, joining Mr. Hoar and Mr. McCall, again raised the standard which had been elevated by those who led on the Democratic ranks in 1900.

The Anti-Imperialists have done what they could to support and maintain this spirit. Through committees of conference and correspondence, they have received assurances that the Democratic Party would maintain, as its platform, the principles involved in the bill introduced into the Senate by the joint action of the Democrats of both the Senate and the House, as a substitute for the measure passed by the majority for the government of the Philippine Islands. That Democratic bill provided for the immediate promise of independence to the Filipinos, the carrying out of that promise, and the withdrawal of the United States troops as soon as the Filipinos, uninfluenced and uncontrolled, shall set up a government suitable to themselves and capable of performing such international obligations as have already been incurred by the United States, the government so set up being "neutralized" by consent of the Great Powers. There is a disingenuousness in the attitude which has been taken by some Republican leaders, but it ought to deceive no one. Vague promises for futurity, recommendations to the people of the Philippine Islands to go to work and not to take any concern in politics, with the establishment of a network of enormously expensive commissions, bureaus, and departments, and the granting of concessions and franchises, make America mean to the Philippines what England means to India, and France to Algiers.

The Anti-Imperialists believe that the American people are awaking to the meaning of Imperialism in its largest sense (for the kind of government which is influenced by syndicated capital is imperial government); they understand the imperializing influences of the necessarily autocratic modes of colonial administra-

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tion; they believe that the questions which touch the people's pockets and bellies and backs at home will be settled by overthrowing the same power which would govern tropical nations by methods unknown to the Republic; they believe that a menace to labor, a menace to liberty and to religion itself, by state complications with religious questions, of which this country should never take cognizance, are threatening us; they believe that the futility of efforts to educate an eastern race in a foreign language and in foreign manners is already apparent; they believe that the employment of coolie and peon labor, which is a practical form of slavery, will soon be insisted upon in our tropical "possessions."

No campaign was ever intended to be made by the Anti-Imperialists upon the cruelties which have been perpetrated in the Philippine Islands. The honor of the American Army demanded that these cruelties should be exposed and punished, and that those who attempted to whitewash or conceal them should be brought to justice. Their value to the cause which the Anti-Imperialists have at heart consists in the illustration which they furnish of the conditions which must exist in an Imperial system, especially where an alien race attempts the subjugation of a less developed people, conditions which must subsist in peace as well as in war.

Imperialism implies the exercise of autocratic power, secrecy and brutality. The Anti-Imperialists believe that the American people desire no such modification of their principles of government and disbelieve in the possibility of an attachment to its constitution, contrived to hold ten million people as subjects without citizenship. The Anti-Imperialists look for a declaration to be made by the supporters of constitutional liberty in Congress, as soon as they reach the proportions of a majority in the National House, that independence should at once be promised to the Filipinos. They hope to continue to disseminate, as widely as possible, the knowledge of the cost and attendant evils of the colonial system; and they desire to agitate unceasingly for the relaxation of the conditions, which now hinder the formation of organizations for the peaceful promotion of the cause of Philippine independence in the archipelago. They hope to see the United States again restored to its proper position of upholder of the Monroe Doctrine, by consistently abandoning any claim to possessions, or to authoritative interference, in the affairs of the other hemisphere.

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As for unfortunate Cuba, the Anti-Imperialist record is clear. The condition of things there is far beyond the conception which is generally entertained in America of the condition of the inhabitants of that unfortunate island. No sugar is being planted. A very large proportion of the Americans who intended to settle have left. Destitution is universal. Business is worse than during the blockade. Our name is generally detested.

The effort to saddle the responsibility for the Cuban situation upon the whole American people cannot be justly supported. The party, and that portion of the American people represented by it, which opposed the Platt Amendment cannot be held answerable for the consequences which ensued from its adoption and from its acceptance by the Cuban Convention. It was strictly a party measure, and not only was it disavowed by a large proportion of American citizens, but the Cuban envoys were specifically notified that this was the case, and that the will of the American people might soon be made known in its repeal; while those pledges that were privately made to induce the Cuban Convention to bow its neck to the yoke which it was sought to enforce upon it, were only to be considered as individual promises made by members of the party, whatever their official station might be. How then can the responsibility for the situation be placed upon any but the Republican Party, especially upon those members of it who gave the pledge which they had not the power to carry out, and upon the Cuban Convention which chose to place faith in the promises thus given? The members of the Cuban delegation were carefully protected from approach, and efforts to meet them on the part of Anti-Imperialists in Washington were frustrated, but certain correspondence took place with some of them. The following letter was addressed to Captain V. Mestre Amabile:

"BOSTON, *April 23, 1901.*

"Your name has been given to me by a friend as a supporter of entire Cuban independence, according to the pledge made by Congress at the outbreak of the war with Spain. We are extremely anxious to assure the people of Cuba that the Anti-Imperialist Leagues of the United States, with their large membership, as well as a great body of other citizens of the United States, believe that our government should fulfil its pledge to the uttermost, and we desire to urge your fellow-countrymen to maintain their independent attitude. We believe that if you continue firm and patient, the American people can be

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brought to support your attitude and to fulfil their own obligation, even if you do wait until the complexion of the Congress of the United States is changed in the elections of 1902. Will you let me hear from you, and, meanwhile, do your utmost to communicate our sentiments to your fellow-countrymen and to your colleagues in the delegation, in whatever way seems to you suitable and effectual?"

This was accompanied by the following letter addressed to General Raphael M. Portuondo:

"BOSTON, *April 23, 1901.*

"I wish you to know that the large body of Anti-Imperialists in the United States belonging to our Leagues (and, indeed, what I believe to be a great majority of our citizens) hold that the pledge made to the United States by Congress at the outset of the war with Spain should be literally and honestly fulfilled. Is there any way in which our views could be made known to the Cuban Convention, and in which they can be demonstrated to exist to such a degree that we may hope that, if you maintain your fidelity and patience, the composition of the Congress to be elected in 1902 may reverse the action taken by the last Congress?"

Captain Amabile replied as follows:

"1417 K St., WASHINGTON, D. C., *April 26, 1901.*

"I beg to acknowledge receipt of your letter of the 23d inst., and I thank you for the offers made in your name and in the name of the honorable members of the New England Anti-Imperialistic League, who has rendered and is ready to continue to render to the cause of justice and Cuban Independence, so much in danger at the present moment, by the Machiavellian acceptance of the Platt Amendment.

"The members of the Commission of the National Cuban Convention, to whom I have communicated your generous and pathetic sentiments, beg of me to express to you their thanks, and say, that guided by a principle of courtesy they consider not prudent at the present time, especially during the time that the conferences takes place, to say anything in regard to Cuban affairs.

"I handed personally to General Portuondo your letter of the 24th and I hope very soon to have the advantage of being put again in connection with such a brave and generous Association."

A similar letter to that addressed to Captain Portuondo was written to Colonel M. Coronado. Colonel Coronado's reply was as follows:

WASHINGTON, D. C., *April 26, 1901.*

"I have just received your letter date yesterday, and I gave a translation to the Cuban Committee immediately, and also I send the original

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to Havana to be published in 'La Discusion.' All that in my hand will be possible I will be glad to do in help of your ideas who are in relation with mine."

To the opponents of the whole "deal" with Cuba, the question of reciprocity or other modification of the attitude and laws of the United States can therefore only be put upon its own merits. Legislation to bring them about may or may not be desirable, but it should be weighed carefully upon its inherent principles, and in conformity with the necessities of the people of the United States. The true method to atone, it seems to me, for the great evil which we have done to Cuba by wresting her from her relations with Spain, is first to repeal the Platt Amendment in the United States, and to permit the abrogation of all the clauses of the Cuban Constitution which were demanded by it, and next to make a handsome money payment to the Cuban government, rather than to attempt a spasmodic and unrelated interference with our tariff conditions in order to foster a foreign industry. Those who are in opposition to the Republican Party would, probably, join cheerfully in appropriating an adequate sum, while from the Republican Party it would be just conscience money.

The Anti-Imperialists hope that in Hawaii where there is chaos, and in Porto Rico where discontent is rapidly spreading, the conditions will so develop that these "possessions," which are only burdens to our country and a menace in case of foreign complications, may be alienated. They believe in a Continental Republic, and in the reassertion of that moral influence which really made the United States a world-power, growing in greatness and authority from generation to generation, unsupported by standing armies or great navies. As in the case of the individual, whatever may be the forces of evolution, the will and conscience are the only safe guides, and themselves become a part of the biological law of progress; so, whatever may seem to be the Imperial swing of the world's affairs, the duty of the United States, as the Anti-Imperialists hold, is to have no part nor lot in government which does not rest upon the consent of the governed, being determined by the principles upon which the Republic was founded, the principles of the Declaration of Independence.

ERVING WINSLOW.

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THE SITUATION IN CUBA.

BY MARRION WILCOX.

DURING the month of October, the terms of the treaty of reciprocity proposed by the United States, though nominally secret, were freely and intelligently discussed in Cuba. No Cuban, Spaniard or American on the island said that the terms were generous. A few persons, for reasons of their own, asserted that a treaty carried out on the lines indicated in the sketch that Sr. Quesada had forwarded from Washington would be just, or nearly so; but not even these interested persons could claim that our Government had proposed liberal terms. The general sentiment was, that the Government—not the people—of the United States intended to drive a hard bargain.

At the beginning of November, the fact became generally known in Cuba that the Palma Government would request the Government at Washington to consider a counter-proposition, differing essentially from that which the American Minister had urged upon the Cubans without success. An attempt was made by some of the newspapers in the United States to convey the impression that the counter-proposition contained only unimportant modifications of the American sketch; but, meanwhile, the organ of the Palma Administration had stated that the Cubans would stand firm, and would continue to urge their view that the duty imposed upon their products sent to the States should be reduced by more than twenty per cent. That was precisely the most important point in the whole controversy.

The decision of the Palma Government in this emergency was strong and popular in the island. It was not taken before assurances of the approval and coöperation of representative citizens of Havana, not connected with the Administration, had been obtained; nor was it taken until both the Administration and its

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independent advisers had been convinced that many people in the United States also favored a programme of fair play to Cuba.

A situation of extraordinary interest was created. We are dealing in the simplest terms with matters of actual, close and recent observation, and the liability to error is recognized; but with a certain degree of confidence we may say that the element in the situation which deserves to be considered first is its final demonstration of Spain's downfall in Cuba—the death of Spanish influence in the West Indies, which had hitherto seemed to survive the defeat of a Spanish fleet and army at Santiago.

Conscious of a lack of ability in themselves, in the national character, to cope adequately with this emergency, the Cubans were not disposed to resort to those who had formerly been their mentors in the larger questions, though a circumstance sufficient to keep the mother-country in a place of honor is this—that some of the noblest characters in all the world of Spanish-speaking people are to be found to-day in Cuba. On the contrary, their impulse was to place the blame for the deficiency which they deplore upon their traditional enemy. "The Spaniards," they said, "encouraged our vices, so that we might continue in helpless dependence; they discouraged every aspiration of our patriots who advocated the virtuous life that would have produced a race able to claim and to conquer its independence."

Every student of history knows that the foregoing view is not wholly correct. But the deep-rooted conviction expressed by the Cubans at this critical moment embodies a truth of profound significance. The Spanish masters of Cuba did actually—not always, but often—encourage Cuban profligacy; they certainly did not make sustained efforts to prevent the race from becoming degenerate. And the result of their policy is seen to-day. Fortunately, a number of the Cubans are unspoiled—are citizens who would do honor to any country. But the level of the mass of the people, little by little, was depressed shamefully.

That was Spain's capital sin in Cuba; and now, as in 1898, we see what wages Spain's sin in Cuba received.

Centuries passed between the first settlement of the island and the last stern balancing of accounts. But mark the quick sequence of events teaching the same lesson, that "the wages of sin is death," in the years since 1898.

The mass of the Cuban people, depressed under Spanish mas-

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ters, could not possibly assume in an instant the attitude that we, bred in freedom, regard as the proper attitude toward the independence, integrity and honor of the nation.

Our own attitude with reference to our own country has been most acceptably described by Edward Everett Hale in his book entitled "A Man Without a Country." Dr. Hale makes his hero say, in one of the eloquent passages of this story, that a man who is threatened with the loss of his country should prefer instant death. Also, as a punishment for traitors, more suitable because more terrible than hanging, Dr. Hale suggests that these greatest of criminals should be deprived of that inestimable privilege, the consciousness of belonging to, serving and glorying in a country which is their own, the worthy object of their devotion, whose independence, integrity and honor inspire the noblest sentiments. Failing that inspiration (such is this splendid little book's teaching), human life becomes meaningless, entirely worthless.

This brings us to the element of the situation which deserves to be considered in the second place. The Cubans were at last fully aware, in October and November, of the true character of their compliant act which had made their country less autonomous than a State of the Union—the incorporation of the Platt Amendment into the Cuban Constitution.

A theme for rather serious meditation, on their part and ours as well, is this: What degree of criminality would be required—what universal transgression, without redeeming virtue in a single individual—to warrant a great nation's putting forth its resistless power against an entire people, or punishing all Cubans, a million and a half of them, by depriving them all of the consciousness of belonging to, serving and glorying in their country as their very own and wholly theirs—that inestimable privilege? And this also is a theme for curious inquiry: Whether, instead of removing so many persons from their country, and at great inconvenience sending them a-sailing round the world on ships that never will bring them back to Havana or Cienfuegos, it were not an equivalent punishment to leave them on the island, indeed, but taking away from their country its every hope of achieving honor among the nations of the earth, draining its life-blood by ruining its industries? In brief, whether the process would not be made easier for the great nation, and just as awful for the smaller

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nation, if the former simply destroyed the essence of the latter's nationality, taking, as it were, country from people, instead of people from country? And the Spanish-American conclusion, which is perhaps worthy to receive our attention for a moment, though it may seem to be rather cynical, is this: Of course, the teaching of the story entitled "A Man Without a Country" is good doctrine for the United States exclusively; the great Republic's possession it is, above all price. But no mere Spanish-American can be supposed to have a country that is worthy of such love. The Americans cannot for an instant admit that the Cubans have a country worthy of such passionate attachment, or that their hearts are equally warm to cherish devotion to an island, an ideal, a flag. For, if they did admit these things, it would follow, as the night the day, that they had incurred a tremendous obligation toward the Cubans, an obligation commensurate with the Cubans' loss; continuing, also, quite indefinitely into the future, even so long as the deprivation of genuine independence continues.

Does the foregoing commentary upon a literary work that has been accepted as a masterpiece for nearly twoscore of years, and has proved, as its author tells us, to be "a useful reading-book in the higher classes of the schools," show quite clearly the value of the possession that the Constitutional Convention of 1900-1901 surrendered? Then we are ready to appraise one of the gravest offences against the spirit of patriotism that will have to be recorded in the history of our own times—a betrayal of an infant nation by those to whose weak hands the destiny of that nation had been confided. We know that the Cubans, who had never enjoyed an opportunity to learn that freedom is indispensable, sinned against the first principle of civic morality almost as soon as the opportunity presented itself. A few months of wavering indecision and feeble protest—then the plunge into error. The priceless thing that the Constitutional Convenion sold in 1901—the independence of Cuba—was sold for the pitiful price of tariff concessions.

During the present crisis, in October and November, the popular revolt against that bargain gained ground unmistakably.

Let us try to reproduce the spirit of the anti-Plattist reasoning, generalizing a hundred voices of protest, rather than translating any single argument. The anti-Plattists said, in effect:

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The United States promised to withdraw its forces and to leave the island in the control of its own people. The members of the Constitutional Convention should have insisted upon the fulfilment of that promise, and should have refused to part with any attribute of Cuban sovereignty. Besides, as the United States declined to enter into favorable trade-relations with us, letting the reciprocity bill fail in Congress last spring, and now sending us a proposition the terms of which are so hard that we should ruin ourselves if we accepted them, the price agreed upon for the insertion of the Platt Amendment in our constitution has never been paid, and we are therefore released from our obligation to observe the conditions prescribed by the United States in those preposterous eight articles. We have found out just how much and how little this partial independence is worth. Now let us see whether, with liberty to choose our own friends among the nations, we may not make alliances that will be more helpful.

But when the anti-Plattists, the Nationalists, the advocates of a more complete independence put forward their suggestions, their opponents and those gravely watching the course of events replied: Do you not know that you yourselves and your Cuban-republican associates—in general, the leaders and present or former members of the party now in power—are responsible for the imposition of the Platt Amendment? You are all doomed. If you fail to secure very liberal terms from the Government of the United States, the people of Cuba will get rid of you, by force if necessary. And you have no time to lose. After squandering such an asset as the Teller Resolution, which meant freedom; after selling the sovereign rights of the island for a price, you must at least get for the people you have betrayed the money they need. They need a great deal more, they demand a great deal more, and you must now obtain a great deal more, than they and you would have been satisfied to obtain last winter.

Now, is it not evident that acceptance of the terms of the treaty of reciprocity which were proposed in the sketch forwarded from Washington would have been, on the part of the Palma Administration, almost a suicidal act? The Palma Government, while fighting for a reduction of fifty per cent. on duties levied on Cuban products sent to our ports, is fighting for its own life.

It is necessary to add that the opposition neglects no opportunity to remind President Palma of his obligation to the Ameri-

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can Government: its approval made, its disfavor would unmake, him. How, then, should he retain American approval without incurring the hatred of many Cubans and losing the support of not a few of his associates? Does it seem strange that months passed while the propositions, as well as the new political and economic tendencies on the island, were being considered?

There was one course that avoided the anti-Plattist Scylla and the protectionist Charybdis. That course was suggested or pointed out to Sr. Palma, to the leading members of his cabinet, and to several of his trusted counsellors in private life. That course was approved by them, and we have excellent reasons for believing that they have adopted it; and if so they may still pass through the present strait in safety. These gentlemen were advised to claim exactly what seemed to be fair, in view of the undisputed political and commercial relations of the two countries involved, and (to put it bluntly) the actual business conditions in both. They were assured that, if they found the terms of the proposed treaty plainly unfair, they would be justified in assuming that the best way to win the respect of the Americans and attain any good result that was possible in the circumstances would be, not to yield weakly, but to urge a suitable demand firmly; that we, for our own credit, were only less concerned in an equitable determination of this dispute than were they, for their own comfortable existence.

Yes, the Palma administration may, by good steering, take its little ship in safety through the straits it seems to be caught in at present; and yet the anti-Plattists are right when they say that those Cubans who are responsible for the acceptance of the Platt Amendment, or identified in interest and purpose with the men who arranged or consented to that surrender, are doomed. For how can one both destroy his house and continue to live in it? How can one, at a friend's request or an enemy's command, deliver up his Cuba, almost as though bound hand and foot, to be used well or used ill; and after this disloyal act still expect to be really loved by Cuba and her more loyal sons? Here a law that knows no distinction of islands or continents intervenes. That element of the Cuban population which, with the coöperation of American military governors, made Cuba less than a State, cannot lead Cuba on to a great future. The people have begun to understand this.

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As a result of much self-centred talk about our parties, party-policies and conflicting commercial interests that have an international extension, we are apt to forget that a country is not just a bit of land, but is land with a bit of a flag above it; that those people thrive best who make the most of the resources of the land and love the flag more than life; that others do not thrive. One may earn wages of the kind we have somewhat reluctantly referred to by sinning against the humble people who cultivate the land, as did Spain in Cuba, or by taking away from the flag a part of its meaning, as did those who sold Cuba's autonomy. Our own Government and people are on trial in Cuba at present.

As we go forward with our analysis of the situation (though only a little further in this article) let us remember that while our national policy remains undefined, and tendencies in the political and commercial life of the island are therefore uncontrolled, the drift of events is distinctly unfavorable to the prestige of the United States.

When the Cuban Administration, cautiously, circumspectly, was making up its mind to put forward a counter-proposition, the emergency was of a character which in all democratic countries serves as a call for strong and thoroughly organized effort. The assurances of valuable support in Cuba and the United States, already spoken of, did not in themselves constitute a sufficient reliance. Any measure that could be agreed upon by the executive branches of the two countries was certain to encounter opposition, both in Congress and among certain classes of the people, there as well as here; it was desirable, then, to take steps for meeting and if possible overcoming such opposition. The Cuban Government itself and the economical associations of the island, despite old feuds and recent jealousies, reached an agreement during October, the purport of which was that the latter should actively sustain, and the former quietly approve, a new campaign of education in behalf of reciprocity between Cuba and the United States. Conferences at the palace and elsewhere were held at various times during a fortnight; and the chief objectors to the initiation of such a movement appeared to be reconciled, when the Secretary of the Treasury, Sr. García Montes, addressed a note to the writer, in which he stated that he, as "Secretario de Hacienda de la República, is of the opinion that it will pro-

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mote the interests of Cuba and the United States to celebrate [make] a treaty of reciprocity between the two countries, and in that concept he regards with sympathetic approval every movement tending to bring about that result, on the basis of mutual concessions."

This note, dated at Havana, the 23rd of October, 1902, and handed to the writer by the Secretary personally, was prepared as a *memorandum* of the substance of a conversation in which Sr. García Montes, speaking for President Palma and the Secretary of State, as well as for himself, expressed the decision of his Government at that time, both in regard to the proposed campaign and the treaty to be proposed "on the basis of mutual concessions," for the twin subjects had necessarily been considered together. Indeed, so inseparably connected with each other were these objects, it was evident that a change of attitude toward the treaty would be reflected or foreshadowed in a changed attitude towards the proposed campaign of education. The note was carefully revised so that it might be used when occasion required as a precise and authorized statement. A more satisfactory assurance could not have been desired that the terms to be proposed by the Cubans would be such as reasonable Americans would be able to vote for.

At this point the sketch of the treaty proposed by the American Government was used with most deadly effect. It was only necessary for persons unfriendly to the United States, or seeking trade openings for European manufacturers at the expense of our country, to point out the wide difference between the only terms that had been submitted by America and the very lowest terms that could be accepted by Cuba. It was only necessary for such persons to insist that no arrangement with the United States was possible; for had the Cubans not heard that they must take what was offered or get nothing whatever? If Cuba could not even get twenty per cent. from Congress last spring, when the American Executive sustained her cause, how could she expect better results now, when she must first try to reconcile Mr. Roosevelt and his cabinet (authors of such inconsiderate propositions, or to some extent responsible for their transmission), and then go before the old enemies in Congress at Washington with a request for much larger concessions—to say nothing of the opposition to be expected in the Cuban Congress?

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We know the difficulty that Spanish-Americans in general experience in joining forces and working together for a common end. Nothing is more superlative than their aversion to uniting except their celerity in disbanding, dispersing, becoming, a moment after, separate and more or less hostile critics of each other and the common cause of a moment before. Especially the Cubans, when questions of union and patriotism arise, are at a sad disadvantage. Everywhere in Christendom the rallying cry of patriots, "For God and country!" has been heard. But, as a shallow irreligion has been fashionable, many Cubans fail to realize that they have a God, while few indeed fail to realize that they have not a free country.

Now imagine the effect of truly discouraging suggestions at the end of October. The movement in favor of a reasonable arrangement with the Great Republic "on the basis of mutual concessions"—which had died away in the summer, and then revived again—was checked. People asked, severely or jauntily: Were not England, Germany, and the other European nations likely to be Cuba's best friends, after all? Certainly, their offers were more tempting. And had not Cuba proved, by her experience since May 20th, that she would be able to pay her own way, though not brilliantly, without asking any favors from the United States? Certainly, the fund in the national treasury was growing larger, contrary to all predictions. Exceptional and temporary causes might be mentioned to explain this circumstance; but it is well known that ready money, with or without explanations, inspires self-confidence. As for our own nation, did not the United States appear to the Cubans as a headless monster, a prosperous and successful monster, succeeding because it is monstrous, not because its enormous forces are directed by commanding intelligence? Something like this figure had occurred before to Cuban citizens who received the full force of the blow by which our Congress nearly crushed the life out of the Cuban Republic. At that time, it seemed as though a blind giant, after lavishing favors for a while, should stretch out his enormous hand once more and inadvertently kill his little protégé by a blundering touch. Would the policy of entertaining offers from Europe produce an effect in the United States, where direct appeal on ethical grounds had failed? It might certainly be well to try that as play. But suppose European offers should be so good that hard and fast

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arrangements would be entered into abroad, excluding the United States? That would cease to be play.

There were no outward signs of panic or disturbance, for only the most decorous people in Havana knew what was happening. Cuba's political outlook changed; her face was turned away from the United States and towards Europe. A temporary change that will only receive such casual notice as this; or a change that will bring an indefinite amount of trouble for an indefinite number of years? That depends upon ourselves. To those who observed sympathetically, the spiritual disturbance of the decorous, responsible people became known. Without real leadership, disbanded and dispersed, the political "elements," as they are called not inappropriately, were turning to this side and that, seeking comfort and encouragement in some quarter—in *any* quarter—when it appeared that the matter of selling sugar and tobacco at good prices could probably not be arranged through friendly action on the part of the United States. The anti-Plattists, however, were seen to have a strong, consistent platform, that of steady opposition which will yield to nothing less than reciprocity (on a scale to take the high protectionist's breath away) or superior force.

A seafaring man from Maine, who knows Cuba as well as his own mind, gives his views:

"We might have held these people to us by force, or drawn them to us by a wisely liberal tariff policy. We have done neither. At the present time they are discontented and restless and looking for friends across the ocean. There is strong talk of turning their sugar lands into cotton, rice and corn, and so doing away with their dependence on the American market. To make that move they can get all the European capital that may be necessary. Then where would we stand? There is no doubt about their disposition to act unfavorably to the United States, for the people at first were profoundly disappointed and are now exasperated by their failure to secure the concessions which they sought last winter. They thought their claim was just, and now they think the United States is disposed to oppress them. It is too late to bargain with them about that matter. They will refuse to accept terms which are not very advantageous to them. I think we should reduce the tariff on Cuban products fifty per cent. The alternative is bayonets."

As the Cubans have no plain, blunt spokesman who can state their thoughts in quite so unmistakable a fashion, we may prevent future misunderstanding by publishing the Maine man's words without change.

MARRION WILCOX.

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BRITISH SUBSIDIES AND AMERICAN SHIPPING.

BY CHARLES H. CRAMP.

In the North American Review for July, 1902, I published an article entitled "The Steamship Merger and American Shipbuilding." In the course of that paper, rather incidentally than primarily, I mentioned the fact that, in the competition between Great Britain and the United States in the ocean carrying trade, there had been three distinct epochs. The first was when the British Government subsidized Samuel Cunard and enabled him to found the great Transatlantic line which bears his name. This was done to combat and destroy the American Collins Line.

The second epoch was in 1871-1872, when the old American Line, composed of the "Pennsylvania," "Ohio," "Indiana" and "Illinois," was put afloat. The British Government met this renewed effort on our part by the increase of subsidies for mail-carrying in its own ships, and also by what is known as the "naval subvention," that is to say, the paying of a retainer to certain classes of ships for readiness to be converted into auxiliary naval vessels.

The third epoch was the formation of what is commonly known as the Morgan Steamship Merger, which has now been brought into practical working shape.

This is a brief description of the three distinct eras of competition, without going into any detail whatever.

The old adage that "history repeats itself" was never more perfectly verified than it has been in the recent outcome or effect of the causes operating in the third and last epoch. The newspapers of England and America for the last few days have been replete with discussion of the action of the British Government explained in the speech of Mr. Gerald Balfour. This action was the re-subsidizing of the Cunard Line, in order to keep it out of

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the hands of the so-called Morgan Merger and to retain it under purely British control and capitalization.

The curious coincidence is that, fifty years ago, the British Government used the Cunard Line to destroy the American Collins Line. Thirty years ago, it used the Cunard Line to destroy the old American Line. And now it is using the Cunard Line to meet and combat the new American Merger. In each case, the effort of the British Government to protect its shipping interests has taken the form of an increased subsidy; and, in each case it has selected the Cunard Line as the principal object of assistance.

It is not worth while to go into the details of the discussion evoked in England by Mr. Balfour's announcement of a special subsidy of three-quarters of a million a year to the Cunard Line, in addition to its regular mail pay. Suffice it to say that the dissent from the action so announced, although noisy, has not been formidable and is hardly considered respectable.

The special subsidy announced by Mr. Balfour is the outcome of the action taken at the annual meeting of the London Chamber of Commerce on May 28th last, to which I refer on pages 12 and 13 of the NORTH AMERICAN REVIEW for July last. The President of the London Chamber of Commerce is Lord Brassey, and in the course of his speech he declared that a more liberal subsidiary policy must be adopted by the Government, on account of the American Merger and the great progress of German shipbuilding and ship-owning.

In the session of the House of Commons the same night the question was brought up and debated, on a motion for the reappointment of the Committee on Ship Subsidies. This discussion resulted in enlarging the scope of the Committee's powers, and there was a general assent to the proposition that an important increase of subsidies for mail-carrying and for other purposes was imperative. As I have said, the new special subsidy to the Cunard Line is the outgrowth or result of this action and its discussion.

For years and years, we have been accustomed to hear it declared by a certain class of statesmen (so called) on the floors of Congress, and by editors in a certain class of newspapers, that Great Britain did not pay any subsidies for the maintenance or promotion of her merchant marine; and, whenever Americans

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have advocated that kind of policy towards American shipping, they have been denounced as "treasury grabbers" and "subsidy beggars." But now let us hope that no American statesman or politician or editor will be sufficiently simian to repeat that stale falsehood.

The real fact is, that Great Britain is and always has been the greatest subsidizer in the world; and it is also true that her policy in that direction is and has been the principal cause of the supremacy in the ocean carrying trade which, in the general average, she has maintained since 1860. Whether she will prevail in the new competition that confronts her, as against Germany on the one hand and the United States on the other, is a question to be settled by events; but one thing is certain,—that she will exhaust the power of public aid and subvention to recover the ground that she has lost.

The really significant, or rather the most significant, fact connected with this special subsidy to the Cunard Line is intimated in that part of Lord Brassey's speech already referred to, in which he said that the British ship-builders must look to their laurels in the construction of ocean steamships of the type of the Hamburg-American liner "Deutschland," and he based his argument in favor of increased subsidies upon that contention.

In this connection, it is necessary to quote clauses one, two, three, four, five, six, seven and eight of the agreement entered into between the Cunard Steamship Company and the British Government, September 30th, 1902; they are as follows:

"1. The Cunard Company are to build two large steamers for the Atlantic trade, of high speed.

"2. The agreement is to remain in force for twenty years from the completion of the second of these vessels.

"3. The Cunard Company pledges itself, until the expiry of the agreement, to remain a purely British undertaking, and that under no circumstances shall the management of the Company be in the hands of, or the shares or the vessels of the Company held by, other than British subjects.

"4. During the currency of the agreement, the Cunard Company is to hold at the disposal of the Government the whole of its fleet, including the two new vessels, and all other vessels as built, the Government being at liberty to charter or purchase all or any such vessels at agreed rates.

"5. The Cunard Company also undertakes not to unduly raise freights, nor to give any preferential rates to foreigners.

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"6. The Government *are to lend the money for the construction of the two new vessels*, charging interest at two and three-quarters per cent. per annum. The security for the loan is to be a first charge on the two new vessels, the present fleet, and the general assets of the Cunard Company.

"7. The Cunard Company is to repay the loan by annual payments extending over twenty years.

"8. From the time the new vessels commence to run, the Government are to pay the Cunard Company at the rate of one hundred and fifty thousand pounds (£150,000) per annum, instead of the present Admiralty subvention."

The two new vessels which the Cunard Company undertakes to build with the money loaned by the British Government, are estimated to cost five million dollars each, or ten million dollars altogether, and they are expected to surpass in speed and other qualities any other vessels afloat.

It will be noted that the term of the agreement is twenty years, and that the subvention of $750,000 a year is, practically, interest on the $10,000,000 at the rate of seven and one-half per cent. It will be noted further that in the agreement the British Government, under clause six, in loaning to the Cunard Company the money necessary to build these ships, requires interest thereon at the rate of two and three-quarters per cent. per annum. That leaves four and three-quarters per cent. of the subvention per annum to inure to the benefit and use of the Cunard Company. As the term is twenty years, it will be seen that this net surplus of four and three-quarters per cent. per annum will come very near paying the first cost of the ships during the twenty years. Doubtless, it is assumed that the Company will make some profit of its own in the operation of these ships. But the surplus of four and three-quarters per cent., which the Government provides in its subsidy for a period of twenty years, would come within half a million dollars of paying the total estimated cost.

It may be that the ships can be built for nine and a half millions; if that should be the case, then the surplus of the subsidy allowed by the Government would be the full first cost of the two ships in the twenty years of the agreement.

This method is the traditional method of the British Government in such cases. It is a repetition of the arrangement which they made with Samuel Cunard at the time when he was aided for the purpose of crushing the Collins Line in the early fifties.

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As I point out on page seven of the NORTH AMERICAN REVIEW for July, the British Government increased Mr. Cunard's subsidy to an extent that enabled him to add to the fleet of four ships he already possessed at the rate of another and better ship each year, and this policy was maintained until the Collins Line was destroyed. After that the British Government continued to subsidize the Cunard Line liberally, but not to so great an extent as it had done while the Collins Line was in existence.

Another instance of the same character occurred in connection with what is known as the Empress Line plying between Vancouver, or the Western terminus of the Canadian Pacific Railroad, and the Orient. When this line was created, three ships were built; and the British and Canadian Governments joined hands to provide an annual subsidy equal to ten per cent. upon the first cost of the ships, and the term of that subsidy was made ten years. The British Government pretended that the object of putting this line on, was as much military as commercial. But, as a matter of fact, the Empress Line was put on mainly with a view of destroying or at least crippling the American Pacific Mail.

Now, in this new special subsidy to the Cunard Line, the same policy is being repeated; but in this case there is no subterfuge, no pretext. It was openly avowed by Mr. Gerald Balfour in his speech that the decision in Council to give this special subsidy to the Cunard Line was made in order:

First, to prevent that Line from becoming a part of the American or Morgan Merger:

Second, to keep it under purely British control and capitalization; and

Third, to enable it to build ships capable of equalling, if not surpassing, the highest types of ships which had been produced in Germany, and which were being operated under the German flag.

In other words, this special Cunard subsidy of three quarters of a million a year is the practical expression of the apprehension of the British Government, and of its determination to use its resources for the purpose of habilitating its merchant marine, which had, as I pointed out on pages 11 and 12 of the NORTH AMERICAN REVIEW for July, fallen behind on account of supineness and self complacency.

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The logical deduction which our Government ought to draw from these facts, which are notorious and beyond dispute, I leave to be judged by the intelligent reader.

Three times in history, our merchant marine has gone to the wall through the persistent refusal of our Government to meet the conditions which the policy of the British Government imposed upon the competition. And I will add here that all the arguments that have been made in favor of the shipping bill now pending in Congress put together, are not half as cogent as the fact of the British Government's action at this juncture.

In fact, this new subsidy to the Cunard Line is the most tremendous effort of that kind ever put forth by the British Government. By its terms the British Treasury lends to the Cunard Company money enough to build two of the largest, fastest and costliest passenger ships in the world. It lends at two and three-quarters per cent. per annum interest, and it requires repayment of the loan in twenty years; but, at the same time, it gives the Cunard Line a *subsidy* sufficient to repay the loan in twenty annual instalments.

This is a somewhat round-about way of making the Cunard Company a present of two of the best ships in the world. Doubtless, if any American ship-owner or ship-builder should propose a subsidy of that nature to our Congress, there would be among our free-ship statesmen an epidemic of nervous prostration.

CHARLES H. CRAMP.

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THE "PIOUS FUND" ARBITRATION.

BY W. L. PENFIELD, SOLICITOR TO THE DEPARTMENT OF STATE.

THE importance of the arbitration of the "Pious Fund" case has been both over-estimated and under-estimated. The controversy has now been settled once for all, and a brief review of the arbitration will enable us to appreciate its real significance.

The decisive facts of the case were few. During the latter part of the seventeenth and the first half of the eighteenth centuries, numerous donations were made in perpetuity by Spanish subjects for missions already founded, and thereafter to be founded, for the propagation of the Roman Catholic faith in the Californias. These gifts, amounting approximately to $1,700,000, were made in trust to the Society of Jesus for the execution of the pious wish of the founders. The Jesuits exercised the duties of the trust, until they were disabled from its further administration by their expulsion in 1767 from the Spanish dominions by the King of Spain, and by the suppression of the Order by the Pope in 1773. The crown of Spain took possession of and administered the property for the uses declared by the donors, until Mexico, after her independence was achieved, succeeded to the administration of the trust. Finally, in 1842, President Santa Anna ordered that the properties be sold, that the proceeds thereof be incorporated into the national treasury, and that six per cent. annual interest on the capitalization of the property should be paid and devoted to the carrying out of the intention of the donors in the conversion and civilization of the savages.

Upper California having been ceded to the United States in 1848 by the Treaty of Guadaloupe Hidalgo, the Mexican Government refused to pay to the prelates of the Church in Upper California any share of the interest which accrued after the ratification of the treaty. The latter presented their claim therefor to

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the State Department and requested the interposition of the Government. A Mixed Commission for the settlement of cross-claims between the two Governments was formed under the Convention of July 4th, 1869. On the presentation and hearing of this claim, the United States and Mexican Commissioners divided in opinion. The case was accordingly referred to the umpire, Sir Edward Thornton, who rendered an award in favor of the United States for twenty-one annuities of $43,050.99 each, as the equitable proportion to which the prelates were entitled of the interest accrued from the making of the Treaty of Peace down to February 2nd, 1869. The Mexican Government paid the award but refused to make any further payments of interest. Again the prelates appealed to the State Department for support. In presenting the claim to the Mexican Government, Secretary Hay made two contentions:

First, that the case was governed by the principle of *res judicata;*

Second, that the claim was just.

The Mexican Government denied the justice of the claim and contended that it should be sent for trial to the local courts. It disputed the applicability of the principle of *res judicata* to the case. It contended that the principle was limited in application to the final sentence or dispository part of the judgment, and that it did not embrace the law and facts, which might be and were, in fact, erroneously found and applied by the umpire; and it contended that he had acted in excess of his jurisdiction in rendering the sentence of condemnation. Finally, the case was referred to the arbitration of the Hague Tribunal by the Convention of May 2nd, 1902, between the two Governments. The issues submitted by the arbitral agreement were two:

1. If said claim, as a consequence of the former decision, is within the governing principle of *res judicata;* and

2. If not, whether the same is just.

And the tribunal was authorized to render such judgment or award as might be meet and proper under all the circumstances of the case.

The arbitrators were selected from the members of the permanent panel who had been appointed by the signatory States of the Hague Convention. Those named by the United States were Sir Edward Fry, formerly Judge of the Court of Appeals, and

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member of the Privy Council of Great Britain; Mr. de Martens, member of the Council of the Imperial Ministry of Foreign Affairs of Russia; and those appointed by Mexico were Mr. Asser, member of the Council of State of Holland, and Mr. Savornin-Lohman, formerly Minister of the Interior and a member of the House of Deputies of Holland. The Arbitrators appointed as umpire and President of the Tribunal Mr. Matzen, Counsellor-Extraordinary for the Supreme Court and President of the Landsthing of Denmark. The court was organized on September 15th, 1902, and at once proceeded with the hearing. The case was ably defended by Mr. Pardo, agent of the Mexican Government, assisted by special counsel, Messrs. Beernaert and Delacroix. Mr. Beernaert is an eminent statesman, formerly a member of the Ministry and a leader of the Belgian bar; and Mr. Delacroix is one of the most accomplished and brilliant of its younger leaders. Their arguments, varying in style with their genius, displayed those qualities of acute analysis, solid reasoning, lucidity and brilliancy of expression which characterize the pleadings of the great advocates of the Belgian and French bars. The United States Government was represented by its agent, Mr. Jackson H. Ralston, and by Mr. W. L. Penfield, as special counsel, who were assisted by the claimant's counsel, Senator Stewart, Mr. Garrett McEnery, and Mr. Deschamps.

The defense made by the counsel for Mexico was:

1. That, the power of the Mixed Commission proceeding only from the consent of the parties, the award of the umpire was limited by the mandate from which it emanated and could not, therefore, constitute a former adjudication.

2. That the claim was not just; that the property sequestered was national or political in its institution and character, and not religious;

3. That, by the Treaty of 1848 and by the Convention of 1868, the two Governments intended to settle and cancel all claims of the citizens of either State against the other, and that the claim was predicated on the sequestration of the property by the Mexican Government prior to the said treaty;

4. That the claim was barred by limitation, through the failure of the claimants to present it for adjustment before the local tribunals within the periods prescribed by certain Mexican statutes;

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5. That the claimants, the Archbishop of California and the Bishops of Monterey, were not the proper parties in interest, who were said to be the Jesuits.

The reply made on behalf of the Government of the United States was, that the Pious Fund was derived from donations of private property expressly dedicated to religious uses, and that, therefore, its institution and character were not national or political, but religious; that the Treaty of 1848 and the Convention of 1868 only dealt with claims then subsisting, and that, the claim sued on having since accrued to its citizens, the Government was entitled to maintain the action. It was further contended that an international award has the force of *res judicata;* that it includes all the grounds on which the final sentence was predicated; that it includes, in effect, as many distinct judgments as there are essential bases of law and fact which, in the light of the issues, are implied in the final sentence; that, in submitting a case to international arbitration, the parties consent in advance to accept the award and all the judicial consequences which attach to it; that those consequences are as much a part of the award as are the fundamental bases on which it depends; that the award, therefore, is by the consent of the parties to have its complete juridical effects, and that its payment is only one of those effects; that inasmuch as the former award, in fixing the amount of each annuity, necessarily ascertained the amount of the capital, and inasmuch as the obligation to pay the interest was adjudged by the umpire to be perpetual in its nature, it only remained for the Tribunal to declare the perpetuity of the obligation and render an award for the amount of the annuities accrued subsequent to February 2nd, 1869.

It was further contended that statutes of limitation are of a domestic character and not internationally binding and enforceable by one Government against another which has espoused the cause of its injured citizens; that the controversy thereby becomes international and should be decided upon principles of international law and justice.

Finally, it was urged that the claim was prosecuted by the proper party in interest—namely, the Government of the United States, which represented before the Tribunal all its citizens, in all of their legal capacities to sue, whether natural or juridical, whether corporations public or private, lay or ecclesiastical; and

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that the President, in the proper exercise of a sovereign prerogative, acting through the Secretary of State, would distribute the award to any of its citizens who might be equitably entitled to receive it.

THE AWARD.

The award, rendered in the form of the civil law judgment, is a model of brevity and perspicuity. It discloses the interesting but not surprising fact that the doctrine of *res judicata* in the civil law and common law systems is one.

The opinion states the considerations of law and fact which control the decision. It declares the international character of the conflict between the two powers in litigation; that all parts of a judgment concerning the points debated in a litigation mutually enlighten and complement one another, and that all serve to define the meaning and scope of the final sentence and to determine the points upon which there has been *res judicata,* and which, therefore, cannot again be brought in question; that the rule applies not only to the judgments of tribunals established by the state, but applies equally to arbitral sentences rendered within the limits of competence fixed by the arbitral agreement; that this principle ought for a much stronger reason to be applied to international arbitrations; that the Convention of July 4th, 1868, granted to the Mixed Commission, and eventually to the umpire, the right to pass upon their own competence; that, in the litigation submitted for decision to the Tribunal created under the arbitral agreement of May 22nd, 1902, there is not only an identity of parties but equally of the subject matter adjudicated by the arbitral sentence of Sir Edward Thornton; that the Government of Mexico has conscientiously executed the arbitral sentence, by payment of the annuities adjudged by Sir Edward Thornton; that, since 1869, thirty-three annuities have not been paid by the Mexican Government to the United States Government; that the rules of prescription, being exclusively of the domain of the civil law, cannot be applied to the present conflict between the two states in litigation; that the silver dollar being the legal currency of Mexico, payment in gold cannot be demanded in the absence of an express stipulation, and that, therefore, the defendant has a right to pay in silver; that, consequently, the decision of Sir Edward Thornton has not the force of *res judicata* with respect to the currency in which the payment should

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be made, since the question of the mode of payment does not affect the substance of the right in litigation, but only the execution of the sentence. Upon the foregoing considerations the Tribunal decided:

1. That the reclamation is governed by the principle of *res judicata,* in virtue of the sentence of Sir Edward Thornton;

2. That, conformably to this sentence, the Government of the Republic of Mexico ought to pay to the Government of the United States the sum of $1,420,682.67 in the legal currency of Mexico, within the period fixed by the protocol, constituting the total amount of the annuities accrued and unpaid since February 2nd, 1869, to February 2nd, 1902;

3. That the Mexican Government shall pay to the Government of the United States on February 2nd, 1903, and on that day each year, forever, the annuity of $43,050.99 fixed by Sir Edward Thornton, in money having legal currency in Mexico.

At the conclusion of the announcement of the decision, the President of the Court added a few appropriate words. No one present during the trial of the case could doubt his sincerity in saying:

> "We bring here the firm conviction of having sought the truth with all our strength, conscientiously and impartially; and I may be permitted to add that the unanimity with which all the members of the Tribunal, belonging to different states assembled here at the Hague have reached, each for himself and all together, the same conclusions, seems to me to constitute an additional guaranty that, in our earnest search after the truth, we have not pursued a false route."

The decision establishes an important landmark in international law. For, although it is in harmony with the general consensus of opinion of publicists of recognized authority, it was the first time that an international tribunal has been called upon to pass directly on the question whether an international award has the force of *res judicata.* Its value as a precedent consists in this fact, and is accentuated by the fact that it was so decided in the absence of an express stipulation to that effect in the arbitral agreement under which the original award was rendered. It constitutes a useful precedent to the Foreign Office having to deal with defences based on local statutes ingeniously framed with a view to embarrass or prevent the enforcement of diplomatic claims, by prescribing short periods of limitation for their pre-

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sentation before local tribunals, under penalty of forfeiture; by prescribing rigorous rules of decision by the local courts; and by prohibiting foreigners residing in the state which has injured them from appealing to their own Governments for protection. It decides, in effect, that such statutes, "being exclusively of the domain of the civil order, cannot be applied to a conflict between two states in litigation," and it holds that controversies which have become international are to be decided upon principles of international law and justice.

The arbitration was also interesting because it was the first experiment made of the Permanent Court of the Hague, which is so composed as to secure able and disinterested triors, through the double process of selection, first, by the appointing power of the several signatory states of the Hague Convention, who are best qualified in the first instance to name the permanent panel; second, by the choice of the litigant states, from this panel, of the members of the trial court. It was interesting because of another experiment made further to assure the impartiality of the tribunal. It has been the practice of litigant states to appoint one or more in equal number of their own nationals, as members of Mixed Commissions or Arbitral Tribunals for the trial of their controversies. Experience has shown that those members not infrequently assume the inconsistent rôles of judges and of counsel, and of convenient organs of communication with the agents of their Governments. In the decision of the case, they not unnaturally nor infrequently disagree in opinions which are not always the most creditable in judicial form or substance, because they unconsciously reflect the partisan feeling which is so easily aroused where the sense of national pride and honor is even unintentionally and unwittingly touched. In the Pious Fund case, the two Governments agreed that the Court should be composed exclusively of the nationals of states not parties to the litigation. The result justified the experiment, by the freedom from all manifestation of partisan feeling or interest, on the part of the Court, in the success or failure of either party, and from any suggestion of diplomatic finesse or of leakage of the secrets of the Council Chamber; and by the unanimity of the decision, announcing correct principles, and awarding what, upon a sound application of the law to the facts, was justly and lawfully due and no more.

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Other valuable precedents were set in the manner of the selection of the umpire, and in the mode adopted for fixing the compensation of the arbitrators. The four arbitrators named by the litigant states met at the appointed time; and, in the exercise of their power and discretion under the Hague Convention, and without the suggestion or advice of the United States or of Mexico, so far as known, selected the umpire. This conception of their power and duty was justified in their choice of the umpire, who admirably exercised the functions of the presiding judge.

A delicate question arises in such cases in fixing the compensation of the Arbitrators. Is their compensation simply an honorarium, whose measure is left wholly to the Foreign Office? Or will the arbitrators render a statement of their charges? The agents of the two Governments conferred on this subject with the Secretary-General, who, as an officer and proper organ of communication with the Court, reported that either of the above modes was in vogue and proper; but the informal action taken led to an easy solution, entirely satisfactory to all concerned.

Under the Hague Convention, the Court is authorized to determine the language of the proceedings. The solution of this question was, as a matter of procedure, highly interesting as a precedent to English-speaking advocates who may be called to plead their cause before a tribunal composed, like this one, of four civilians and one common-law lawyer. The Court, as would be expected, adopted French as the official language of the proceedings, but permitted the agents and counsel of the two Governments to address the tribunal in their own tongues. While, therefore, the record of the proceedings is in French, the entire freedom of counsel in the use of whatever language they preferred in argument, conduced to a full and satisfactory presentation of the case.

Enough has been said to indicate the unusual significance which attaches to the arbitration of the Pious Fund case. But, valuable as are the example and the precedents set, corresponding to the expectations entertained of the Permanent Court, this arbitration has a special importance in its relation to American interests in the New World. Its significance was pointed out in the argument to the Court:

"The prime motive which inspired the formation of the Hague Con-

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vention was to secure the establishment of international justice. One of its chief objects was to afford sure redress for whatever injury may be arbitrarily inflicted by the Government of one state upon the subjects of another. Unfortunately, the juridical fact has sometimes been momentarily overlooked or forgotten, that the supreme authority of the state which arbitrarily injures the property right of the subject of another state incurs the just obligation of fulfilling the duties thereby entailed. It is these arbitrary injuries to private right which constitute, unhappily, a long list of grievances which in the past have been preferred by governments on behalf of their subjects against offending states. These grievances have sometimes been summarily settled by the strong arm of the Government acting on behalf of its injured subjects; and this has given rise to grave complaints of the forcible collection of exorbitant indemnities. The states of the Western Hemisphere recently held an International Conference at the City of Mexico, with a view to finding some satisfactory solution of this grave problem; and the result was that the project of a treaty was signed by the delegates of the states there assembled, under which such controversies between those states are to be tentatively referred, for a period of five years, to the Permanent Court provided by the Hague Convention. Without exaggeration, therefore, it may be said that the eyes of the Western World are now turned towards this Judicatory; for the sessions now held by this High Court and its determinations, of vast moment as they are to the nations of the Old World, are even more so, if that were possible, to those of the Western Hemisphere. The decision, which will make for the reign of law and justice among nations, and for law and justice between the state and the humblest individual, will by its benign influence and beneficent example, tend to increase respect for private right, and to put an end to the mutual grievances complained of, in the past, of arbitrary acts of the state with respect to vested right, on the one hand, and, on the other, with respect to the collection of indemnities by military execution—complaints which have sorely perplexed and sometimes imperilled the relations of otherwise friendly states. Upon the Court is therefore cast a most solemn responsibility—weighty as regards the litigant states, who are parties to this controversy, and of incalculable importance by the lasting impressions its determinations will produce upon the states of the Old World and upon the sense of law and justice among the peoples of the Western World. The precedent now set will live in its effects upon social order in the Western Hemisphere, and will live in its influence upon the cause of international arbitration."

W. L. PENFIELD.

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RAILROAD BUILDING AS A MODE OF WARFARE.

BY CAPTAIN JOHN McAULEY PALMER, U. S. A.

CAESAR conquered Gaul by building roads. No matter how decisive his victories may have been, their effect could only have been transitory but for the great highways that he continually built in his rear. In warfare against a savage people, if you surround a hostile region with roads the included territory must sooner or later become untenable. The enemy must yield. If you establish lines of communication through and around the fastness of a barbarian, it ceases to be a fastness and he ceases to be a barbarian.

It might also be asserted that Cæsar's whole strategy was merely a policy of road-building. It was not necessary for him, as a rule, to seek the enemy. It was only necessary for him to urge on the road-building. From time to time, combats resulted where the road-building was opposed; but the combat was merely an incident, and, by virtue of the road, was always a Roman victory. Only military force sufficient to guard the road was needed.

But Cæsar's highways were something more than mere engines of conquest. The Roman road civilized as it conquered; the barbarian ceased to be barbarous, and a single generation found Gaul converted from a savage wilderness into one of the most peaceful and prosperous of the Roman provinces.

It is probable, even in the most barbarous societies, that a majority of the population would accept the benefits of peace and commerce if they could. They are not industrious, in many cases, because they are not secure in the enjoyment of the rewards of industry. It is generally only necessary to check the nomadic tendency in order to start the work of civilization. Better communication gives security to the industrious element of the population, in proportion as it brings insecurity to the migratory and warlike. Thus it was that, as depredation and brigandage

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ceased to be profitable, people began to settle in the shelter of the great Roman road, while the incorrigible barbarian was driven farther and farther away.

It is possible that a Roman statesman, in Cæsar's day, would have justified the cost of the military roads merely from the standpoint of military economy. That they might become highways of commerce was but a secondary consideration. Their cost was justified because they reduced the cost of the Transalpine garrison. No other military expenditure could have brought anything like the same return. A legion, in a region of good roads, could police and control many times as large an area as it could in a trackless wilderness.

Before the highways were built, the radii of military influence extended but a few miles from the military base; but, with the highways built, the area of the pacified zone was increased an hundred fold. In other words, the system of roads enormously increased the efficiency of the legions, and therefore were profitable merely from the military standpoint and before they became highways of commerce.

If, by means of the highways, the Transalpine garrison could be reduced from twelve legions to three legions, then, obviously, the highways saved the Roman people the annual charge of nine legions which might either be disbanded or employed in other fields of conquest.

But the most remarkable influence of the Roman roads is found in their effects upon the conquered peoples. In the meshes of the great net-work of highways, migratory tribes became settled communities, wild hunters became husbandmen, the ancient forest gave place to cultivated fields, rough fishing-villages became great cities, warring clans were welded by commercial intercourse into a national whole. A united and civilized France could not have been blended from the heterogeneous tribes of ancient Gaul, save for the influence of the Roman conqueror and the Roman road-builder. The Roman arts of peace rested upon a consummate art of war.

Cæsar's strategy has been followed by all conquerors and pacifiers who have left a lasting impress upon history. The later Romans pushed the paved road from the English Channel to the Welsh mountains and to the foot of the Scottish Highlands, extending commerce and civilization with their military power.

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The British have at once conquered and developed India by a system of railroads and highways. It is by virtue of these communications that a small European garrison can hold the millions of India in subjection.

If President Diaz has given Mexico a new era of security and prosperity, it is largely through his military wisdom in laying iron rails. The profession of fomenting revolutions cannot thrive in the land of the locomotive. A military unit that can move 200 miles in a day is vastly more efficient than one that can move but twenty miles.

When the Cape to Cairo railroad is completed the "Dark Continent" will no longer exist as such, Africa will be cut in two, and the remaining fragmentation will take but a little time. Tribes that are capable of receiving civilization will prosper, the others will disappear.

But perhaps the military effect of the highway has never been exemplified more remarkably than in the history of the United States. A little more than a century ago, the whole continent was a wilderness, save for a little fringe of civilization on the Atlantic seaboard. The wilderness was sparsely peopled by savages, who opposed every westward step, and who, unlike the savages of Gaul, were incapable of accepting civilization. Here, as before, the white man advanced on roads, clearing the forest and building villages as he advanced; and here, as before, savagery could not abide where the highway had penetrated. For a time, the progress was relatively slow, principally because the roads were bad; but, when the railroad became the white man's highway, his conquering progress became unparalleled. Forty-five years ago, the region west of the Missouri river was an unconquered wilderness. In less than ten years, it was practically subdued. The Pacific railroads stretched as yokes of steel across the continent; and unorganized bands of settlers, with the railroad at their back, achieved a military conquest that Cæsar and his legions would have found impossible.

The commercial effects of the Pacific railroads have been so great that we are too apt to forget their military aspect. But, if we attempt to compute the cost of securing the same military results without the railroads and by purely military means, we will find that the railroad is the most potent engine of modern war. We conquered the West so easily with the railroads that we can-

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not realize the amount of military effort that the railroads saved.

The railroad is not only an efficient weapon but a cheap one. It costs a million dollars a year to maintain a regiment of infantry in the field. The same sum will maintain and pay interest on 300 miles of railroad, even if it does not carry a ton of revenue freight. If a general had to advance 300 miles through a wilderness, and were given the choice between an extra regiment of infantry or a railroad leading to his destination, he would probably be willing to spare the regiment. Even if the enemy should burn his bridges from time to time, even if he should find it necessary to rebuild parts of the line and to patrol it from end to end, he could subdue the country incalculably more quickly, more cheaply and more permanently with the railroad than without it.

But, unlike other military weapons, the railroad would pay something toward its support. With the country once subdued, its revenues would increase. In a little time, it would pay its operating expenses. Soon it would pay the interest on the outlay, and in due time create a sinking fund and extinguish its cost.

The value of the railroad as an auxiliary in military operations has long been recognized; but a study of the relative economies of railroad construction and of ordinary military operations would seem to point to the conclusion that the railroad ought to be used as the primary and essential tactical device, especially in warfare against an uncivilized enemy. Instead of regarding the railroad as more or less useful, but subordinate to the several military units, would it not be more scientific to regard it as the main engine of war, the ordinary military units being employed merely to guard it and maintain it? If a country is worth the effort of pacifying it, it is also worth railroad development. If the railroad is constructed and maintained through the theatre of war, military operations cannot continue.

If the objective be mere conquest, the railroad would seem to be the most efficient and economical military weapon; but, if the object be the ultimate civilization and elevation of the conquered race, it would seem to be still more appropriate.

Let us suppose that our task is the subjugation and pacification of the island shown in figure 1. The island is mountainous and heavily wooded, and its slopes are traversed by mountain streams; there are no roads, and the country is exceedingly diffi-

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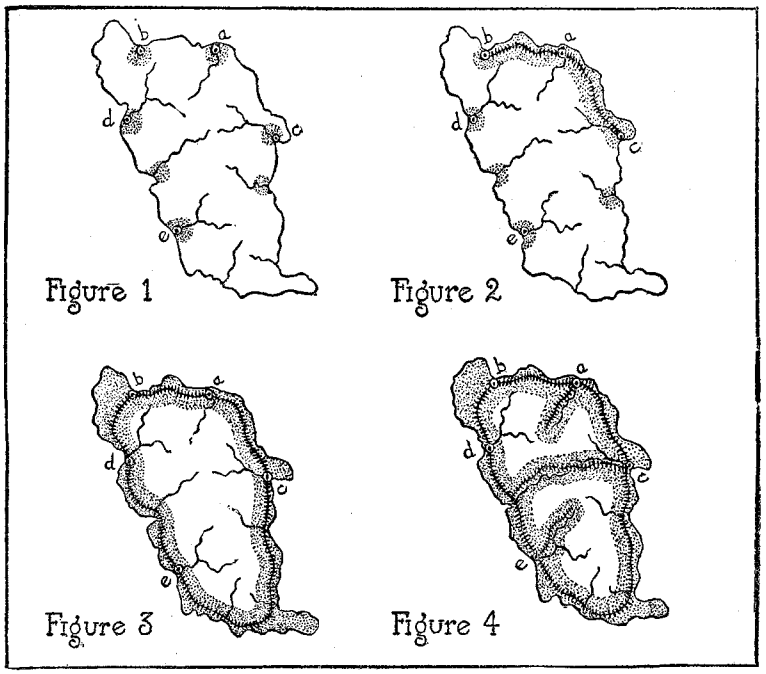
cult for military operations. The area of the island is about 5000 square miles, and its irregular coast line is between 300 and 400 miles long. Its climate is tropical, and its low, marshy coast is exceedingly unhealthy for civilized soldiers. Communication is very difficult. The beach is generally swampy and impracticable, and coastwise navigation is dangerous and uncertain on account of coral reefs. The only ports are shown at *a, b, c, d,* and *e*. One



of these, *a,* is a fair harbor; the others are mere anchorages where landing is impossible, except under favorable circumstances of wind and tide.

The larger valleys of the island are fertile; and, under ordinary conditions, the valley people are fairly industrious; but, during periods of war, which are frequent, the farmers are in enforced idleness and under a reign of terror.

The enemy occupies the mountains of the interior, while our posts are scattered along the coast and can communicate with each other only with difficulty. On account of the impassable nature of the country, the radius of control of each post is small,

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and the effect of a successful expedition is only temporary. A village may be captured and destroyed, but it cannot as a rule be occupied, and if occupied its garrison has no communications. Under these conditions, our zones of influence are indicated by the little shaded areas along the coast. The enemy occupies an extended area in the interior, and he can communicate with the sea at many points between our detached and isolated posts. With great loss and exertion, we may break up all organized resistance; but the peace, when it comes, is uncertain, and a successful campaign leaves little basis for the progress of civilization.

Now, suppose a narrow gauge railroad is built merely as a military measure. The location of the line would depend upon the topography of the country; but let us suppose that, in this case, it is proposed to encircle the island, and that the construction is undertaken in both directions from the port *a*. Figure 2 represents the results obtained after the line reaches *b* and *c*. The effect thus far is to control all of the included coast line. This part of the coast will no longer be tenable for the enemy.

Figure 3 shows the condition when the encircling system is complete. The military situation has been entirely changed, and by the construction of only 250 miles of narrow gauge railway.

The annual cost of the investment would be about equal to the annual cost of one regiment of infantry, but it is obvious that our military position would be strengthened much more by the completion of the railroad than by the addition of one more regiment. Our sphere of influence and control would be immediately changed from a few detached and disconnected posts to a wide belt entirely embracing the island. The enemy would be cut off from the coast; our communications would be complete; we could concentrate our reserves in a few hours at any point; our main garrison could be maintained in some healthful place; one base of supplies would serve our whole force; and, whereas the efficiency of our force would be increased an hundred fold, the strain on our men and our loss from sickness would be greatly diminished.

For a time our enemy might dispute the possession of the shore line with us, but very soon he would be forced either to go into the mountains and stay, or to come down and go to work. If he chose the latter alternative, the railroad would bring him employment and would find new markets for the rich products of his forests and fields.

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In the case assumed, the construction of the little narrow-gauge railway would almost immediately give us the complete and undisputed possession of more than half of the island. The unsubdued would have only the interior area; but this area would grow smaller with the advance of commerce. The effect of constructing additional transverse lines up the valleys is shown in Figure 4. Each mile of the new line cuts off large tracts of wild land, and brings it under the influence of law and civilization. The strategic advantage of the savage consists only in his independence of communications; with communications established, the strategic advantage passes to the civilized soldier.

Men cannot remain in a savage state in the vicinity of a railroad; they are compelled by irresistible influences either to accept civilization or to withdraw. The railroad brings the lumberman, the prospector and the trader, and these are closely followed by the planter.

When the soldier has prepared the highway of commerce, his work is all but done. The soldier of commerce soon relieves him in the work of reconnaissance and exploitation. It does not follow that the pioneer of commerce must be an European. Whether the trader be an American or a Chinese Mestizo, the effect is the same. He brings with him the idea of property, the magic charm of commerce before which savagery and disorder must disappear.

If the railroad has the great military value indicated above, it might be worth while to consider the probable effect of a government system of railways as a military measure in the Philippines. It is probable that such a system would result in a sufficient saving in the cost of the military occupation, to cover the entire cost of the investment. There can be no question that a system of railways would have a great effect in developing the commercial prosperity of the islands, and that better communication would tend to foster political unity and good government. Whatever may be the ultimate political fate of the islands, it must be the present aim of sound statesmanship to end the war and to develop commerce and industry.

The cost of a railway system adapted to insular conditions need not be very great. The traffic would generally be made up of short hauls, and narrow gauge lines would serve every purpose. The narrow gauge construction involves a cheaper first cost, cheaper maintenance and greater adaptability to surface irregularities.

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It is estimated by the Philippine Commission that a system of insular railways can be built at a cost of not more than $35,000 per mile. At three per cent., the interest on the investment would be $1,050 per mile. An annual charge of $3,000 per mile would cover interest, maintenance, and transportation service, even if there were no revenue from traffic.

A railway from Manila to both ends of Luzon would be less than 700 miles long. A system of 1,000 miles would bring every important point of Luzon within one day's journey of Manila. This service would cost but $3,000,000 per annum, but a small percentage of the present cost of military occupation.

But this annual cost assumes no revenue at all from traffic, a condition that would not exist even at the beginning. It would not be long before the system would more than meet its annual charges. One thousand miles of railway for an area of 45,000 square miles and a population of 4,000,000 would be a small proportion, even in the tropics. The State of Illinois, with a population of 5,000,000, supports 11,000 miles of railway.

It seems almost certain that, as a mere military measure, and with no idea of investment, a government system of railroads in Luzon would pay. It would enormously increase the efficiency of the military garrison, and would greatly decrease the cost of the transport of supplies. It would probably pay the United States to build such a system, even if no commercial business were carried, and even if the American occupation should terminate in ten years.

The same conditions would apply to other islands than Luzon. In some of them, commercial considerations would already justify the construction as a profitable investment; in others, the railroad would be economical as a military and political measure.

It is possible that, in some parts of the archipelago, conditions would justify the building of railways by private corporations; but there are several reasons why it would not be wise or just for the government to relinquish control.

In the first place, on account of obvious military economies, the government can afford to build before conditions are secure enough for private capital.

In the second place, a uniform system of communications covering all parts of the islands would give the most economical service, and would do away with the waste of resources due to unnecessary

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competing lines. To provide a complete system of private railways, it would be necessary for the government to inaugurate a policy of subsidies, either in the shape of land grants or of a guarantee of interest. This would amount in the end to a gratuitous donation of valuable property to private individuals; for the cost of railways must finally and in every case be paid by the people that use them.

Another consideration is the fact that the government can build the railroads more cheaply, and can therefore give the Filipinos a cheaper service. Private capital will not go into the field merely for interest. Under the private system the railroad must pay dividends as well as interest, and the service will cost the people that much more. The railways of the United States are now supporting upwards of $5,000,000,000 of bonus stocks and bonds in addition to the capital actually invested in them.

As the government would find ample reimbursement in the military and political economies that the railroad would develop, it would be free to adopt a broad and far-sighted transportation policy, independent of the narrow conditions of immediate profit. It is this aspect of government control that gives such great strategic and political value to enterprises like the Siberian Railway.

This paper is not intended as an argument in favor of government ownership of railways as a general proposition. Where the object of a proposed system is purely commercial, it may very properly be regarded as beyond the scope of government investment. But, where the prime objects of the enterprise are military and political, where the problems to be solved are the problems of enlightened statesmanship, where the policy to be pursued involves high moral and humanitarian responsibilities, the advantages of government control should be carefully considered.

JOHN MCAULEY PALMER.

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THE MONARCHS OF THE TRIPLE ALLIANCE.
I. THE KAISER.

BY SYDNEY BROOKS.

POPULAR estimates of heirs-apparent are rarely worth much. Even if they were, their usefulness would still be limited; for the weight of a crown, the sudden change in duties, surroundings, advisers, and, above all, interests, radically modify the character. History is full of instances where men were one thing as crown-princes and quite another as kings.

It is, therefore, nothing strange that William II. should seem to-day a totally different being from the youth whose abrupt accession, fourteen years ago, to the most powerful throne in Europe sent a shiver of alarm from London to Moscow. The alarm was not unnatural. The coolest-headed statesmen shared it; at the time, nothing else seemed possible. Both as Prince William and as Crown-Prince, the present Emperor had done nothing to reconcile foreign Powers to the idea of his new position. The shrewdest observer might have been forgiven for not seeing in him anything more than "a rather self-willed and theatrical youth, consumed with Chauvinism, and lending himself with an avidity that seemed more French than German to the easy histrionics of militarism. Wherever he went the full stage effects of a regimental setting went with him. Whenever he spoke, it was in flaming apostrophe of the sword and martial glory and the heroic deeds of the most warlike of his ancestors."

Princely rhetoricians are usually disquieting, if only because the qualities that make an orator are not those that most become a monarch. But when you have a prince who is not only gifted with genuine powers of declamation which he is only too proud to show off, but chooses for his subject-matter the most disturbing of all topics; when you are forced to catch the rattling of the

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sabre and the beat of the war-drum through all his impetuous periods—then the zone of anxiety and mistrust he creates is incalculably widened. So long as he was merely second in succession to the throne, Europe could afford to laugh at it all as a bit of youthful prankishness that would wear off. It took on quite a different air when it became known that the Crown-Prince Frederick was suffering from cancer of the throat and might even fail to survive his venerable father.

On March 9th, 1888, the grand old Emperor died. His son succeeded him, a doomed man; reigned pitifully for ninety-nine days, and on June 15th breathed his last. It was a period, as all remember, of blunder and misunderstanding everywhere, a wretched lingering tragedy dragged out under the eye of the whole world. Crown-Prince William had his full share of the mistakes. He seemed to sink the son in the coming Emperor. He should have kept in the background; instead, he took every chance of posing before the people in full pageantry of war. He might at least have held his tongue; instead, his speeches multiplied in vehemence and fervid imagery. Considering the shadow that lay across his father's life, Europe found it hard to forgive his struttings and lime-light effects. German sensitiveness in such matters is not, perhaps, as great as it might be. His turn for military pirouetting made him the darling of the masses, and his barely veiled antagonism to the English influences that surrounded his father won him the devotion of the army and aristocracy. But the outside world, both then and for many years after, saw in him only "a prancing German edition of Harry Hotspur, dashing, wilful, 'heady,' with an instinct for flashy and inopportune display," and terribly given to sounding the charge. Small wonder that Europe drew fearfully together, prepared for anything!

It is hard to say precisely when the universal uneasiness began to give way. For at least five years after the young Emperor's accession, Europe was kept on a nervous stretch. It could not get rid of the idea that the Kaiser meant war. It hugged itself in apprehension of what he might be up to next. Within a few hours after his father's death, he had issued thrilling and exalted addresses to his army and navy. Within six weeks, with quivering and, as Europe thought, unseemly haste, he had visited Peterhof, Stockholm, and Copenhagen; and, that neither Denmark nor

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France might be under any illusions as to where he stood on the North-Schleswig question and Alsace-Lorraine, he declared, on his return, that "we would rather leave our united eighteen army corps and our forty-two millions of inhabitants lying on the field of battle, than relinquish one single stone of what was won by my father and Prince Frederick Charles."

This, to begin with, was disconcerting enough. But the Kaiser, it was soon seen, could act as well as talk. "He plunged forthwith into affairs of state; rejuvenated the services by weeding out old and incompetent officers, with a merciless eye to public efficiency; reorganized the ministerial and diplomatic bureaus; turned the royal household inside out; commanded an army corps at the manœuvres; and before the astonished world could draw its breath, was off again on another tour—this time to the capitals of his allies in the Dreibund." Here, evidently, was a new type of monarch, or rather, a type so old and long-departed that its reappearance at the end of the nineteenth century would have been thought incredible before the coming of the Kaiser. Here was no timid "constitutional" ruler, hiding his impotence under legal fictions; no fainéant king, fit only to mumble commonplaces at the opening of charity bazars. The Kaiser stood out palpably as, above all things, a man of action, and of action altogether outside the usual routine of royalty. His fellow-sovereigns must have found him something of an *enfant terrible*. It seemed for a while as though his ambition were to be "perpetually startling the world by some freakish impulse, some grotesque oration, some new display of hollow versatility." Laughter, amazement, and a half-scandalized applause followed him wherever he went and in all he did or said. "William the tourist, William in the pulpit, William the perfervid orator, William passionately propounding the doctrine of divine right, William scolding his nobles and citizen subjects and glorifying his army, William devising new uniforms and court dresses, new dances and pageants, William 'dashing to pieces all who oppose me,' William the colonizer, William painting pictures, William building a fleet, William the idealist, William dismissing Bismarck and becoming in truth William the Second to none—in all his characters he amused, mystified, shocked, or disturbed the wondering world."

But we have grown used to the Kaiser now. It is not that the first hot flush of youth has passed and left him less exuberant—

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the Kaiser is still at times as impulsive as ever. It is that we have revised our early impressions and come to see the man as he is. No one now thinks of the German Emperor as a menace to European peace. No one now imagines that he will ever wage a war for mere glory or personal vanity, or, indeed, for anything but the defence of his empire. The nervousness he once excited has quite died down; and, under an odd covering of mediæval instincts and impetuous deed and word, the world now recognizes in him a high-strung, fearless, tempestuous nature, full of poetry and idealism as well as force and practicality, a mind that has flashes of something like genius, that is at all times receptive and perspicacious, an unquenchable zeal in the service of his people, and a character which, far from being "harum-scarum," is builded on bold, if somewhat erratic, lines. He has done what it is exceedingly difficult for any man to do—he has lived down laughter; and a man who can live down that can live down anything. It is true we are forced occasionally to a smile, but it embraces not the man, but only some quaint way of displaying himself; and even while we smile we have a suspicion at the back of our minds that there may be, probably is, a method in his madness. The "mailed fist" speeches at Kiel beguiled the whole world with merriment, but the seizure of Kiao-chou followed swift upon them, and the world smiled no longer. The lesson of that famous *coup* endures, and people now are not so wholly absorbed with the Kaiser's bombast as to forget that there may be something behind it. We may still think that William II. has "scattered" too much, but we no longer call him meretricious. We may still laugh at his passion for pageantry and military peacocking, at what a witty Frenchman called his *defil-irium tremens,* but we no longer put it all down to vanity. We may still be startled by his self-glorifications and the fervor of his claim to the divine right, but we recognize that this, too, has another and better side to it. We have, in short, come to a juster, kindlier estimate of both the man and the monarch. It used to be said of Louis Napoleon that he deceived Europe twice—once when he succeeded in passing himself off as an idiot, and again when he succeeded in passing himself off as a statesman. It may at least be said that the German Emperor has deceived Europe once. "The world had one opinion of Louis Napoleon when he dawdled round English race-courses and gambling-houses, and another and very dif-

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ferent opinion when he flashed upon the world as the author of the *coup d'état*. The two estimates hardly differed so greatly as people's judgment of the German Emperor in 1890 and their judgment of him to-day."

With a man who touches life at so many points, analysis must almost inevitably take a categorical form. Let us look into his boyhood. It was passed in that admirable school of kinship, the free and open competitions of the German gymnasium and universities; and it is full of many illuminating incidents, but none more telling than this: A professor, wishing to curry favor with his royal pupil, informed him overnight of the chapter in Xenophon which would be made the subject of the next day's lesson. The young prince did what a great many boys would not have done. He entered the class-room directly it was opened on the following morning, and wrote conspicuously on the blackboard the information that had been given him. A boy who would so act, one may say unhesitatingly, has the root of a fine character in him, has that chivalrous sense of fair play which is the nearest thing to a religion that may be looked for at that age, hates meanness and favoritism, and will, wherever possible, expose them. His instinct will always be to do the big thing, and to do it in a big way. That instinct has been with the Kaiser all his life. I do not say he has always acted on it. It has sometimes to struggle hard against his haste and impulsiveness or his sense of offended kingship. But sooner or later it comes out triumphant. Pettiness of any kind cannot hold its own for long against so much that is generous, so much that is ardent. The Kaiser who publicly snubbed Bismarck after his dismissal by practically ordering the official world of Vienna to take no notice of Count Herbert's marriage was not the real Kaiser. The real Kaiser came out when he heard of the ex-Chancellor's illness in the fall of 1893, and wired at once to offer him one of the royal castles to winter in; when he followed this up by the gift of a bottle of the very finest old Marcobrünner Cabinet that could be fished out of the royal cellars; when he received the ex-Chancellor in Berlin with sovereign honors, visited him at Friedrichsruh, and severely trounced the Reichstag for refusing to congratulate the great founder of the empire on his eightieth birthday.

"To do the big thing in the big way." That, one is convinced, is the direction in which the balance of the Kaiser's nature over-

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whelmingly inclines. He is a man who may be touched on many sides, whom things stir quickly and strongly. Above the fundamental bent towards whatever is clean, manly, and above-board, above the range of glowing sympathies, there is his strong imaginative, and his yet stronger dramatic, sense to appeal to. No one manages to throw such feeling into little international courtesies. His telegrams of condolence to the widows of Marshals MacMahon and Canrobert were, in their way, quite perfect. He has something, perhaps a good deal, of the Crusader temperament. He is moved profoundly by tales of heroism, by the clash and jar of elemental life. Somebody once called him "an applied Kipling." He is, at any rate, one of the few men outside the British Empire who read and thoroughly appreciate that author.

Most people know that the Kaiser's left arm has from his birth been practically useless. He has met the misfortune by training the right arm to do the work of two. That is a feat it is easy to record, but not so easy to accomplish. Many men simply throw up the race on smaller pretexts than that, and a king who had not the right fibre in him would be peculiarly seduced into making himself out a martyr of circumstances. The Kaiser has never been one of that kind. So far from sitting down under his handicap, he rose to conquer it. With infinite patience and grit, such as men who have been spared that sort of affliction can hardly have any conception of, he slowly taught himself to row, to swim, to skate, to ride, to fence, and to shoot—and to do none of these things badly, but all of them with far more than average skill. Look at it whichever way you please, it takes a man to win such a match with fate as that. No weakling could have done it; no one with any serious flaw in his character could have done it. Properly considered, there is a certificate of immense fitness for his post in the Kaiser's list of accomplishments. They are a guarantee of something more than a liking for the wholesome, manly things of life; they give proof of a strength and discipline of character, of that "infinite capacity for taking pains," which, if it be not genius, is at least as solid a foundation as one could wish for any head of a State, King or President. One would prophesy much for any man in any sphere who had overcome his disabilities so finely, but, on the whole, one would prophesy more for a king. Energy and will power may of themselves carry a monarch far, but in the Kaiser they are united with two other

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qualities of the first value as guides—intelligence and a sense of duty.

The Kaiser's mind is unquestionably of an unusual order. Like his uncle's and his mother's, it is a facile, quick-moving instrument; it works in flashes; it assimilates seemingly without effort; it swoops unerringly on the essential point; it is at its best under the highest pressure. The Emperor can grapple with a pile of despatches as Doctor Johnson grappled with libraries, tearing the heart out of each with a perception that incessant practice has made almost instantaneous. But—and this is really remarkable—though not of the concentrated, "specializing" kind, his mind is instinctively thorough and accurate. He thinks things out; it tortures him to feel that he does not know everything that there is to be known on a given subject; he must master all the details. This is an extremely rare quality to find in a man who has so large a share of the oratorical temperament, a man in whom the imaginative powers are so fully developed that to exaggerate is almost second nature. Mr. Gladstone may supply a parallel of sorts. He, too, was a born orator, could stand back from his subject and see it as a whole, and at the same time find inexhaustible pleasure in all its minutiæ. In all business that he understands—and he tries to understand everything—the Kaiser is a master of detail. He has an eye for the great problems of tactics and strategy, and has shown himself at the manœuvres to be a commander of unusual originality and decision, but he is equally interested in the smallest particulars of the soldier's kit, in wire-fencing and the mechanism of the latest rifle.

Only a few weeks ago M. Waldeck-Rousseau, cruising in Norwegian waters on board a friend's yacht, fell in with the Kaiser in the Sörfjord. William, we are told, asked leave to inspect the yacht, and succeeded in charming every one by his simple, courteous ways, his fluent French, his abounding gayety. He examined everything with the utmost interest, looking at the engines, even questioning the cooks, praising the Breton sailors, and afterwards engaging in a long conversation "on a thousand things that concern the navy, philosophy, social and foreign questions." On the same evening the Kaiser entertained the French party to dinner on board the "Hohenzollern." "Rhine and Bordeaux wines were drunk, and only French music was played—Auber, Gounod, Bizet, Délibes." Dismissing *Weltpolitik* and philosophy,

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the Kaiser talked with Madame Waldeck-Rousseau throughout dinner about the theatre and Parisian fashions. Afterwards he showed his visitors his yacht, "astonishing M. Menier by his intimate knowledge of what French constructors had done for the development of pleasure yachts," and finally allowed them to inspect the bureaux where four secretaries were engaged in reading and sorting telegrams that had to be attended to before bedtime.

But the human intellect, after all, is limited, though, like Lord Brougham and Gladstone and Charles Kingsley and a few others, the Kaiser will not believe it. It is not given to one man to know everything about the army, and everything about the navy, and everything about foreign politics and Parisian fashions and the construction of yachts and clay-modelling and the theatres, and at the same time be an indefatigable traveller and a still more indefatigable Emperor into the bargain. The Kaiser, in consequence, speaks sometimes from an inevitable half-knowledge, and has occasionally to call in the Imperial authority to back up his verdict against the judgment of professionals. Thus the Kaiser blossomed out of a sudden into Dr. Koch's warmest patron; he has repeatedly been at loggerheads with his Academy over the merits of particular pictures; he swept away every one of the models that had been sent in for the national monument to his grandfather; and at least once he became a dramatic censor and almost indeed a stage-manager. Only last year, he was lecturing painters on chiaroscuro and sculptors on the proper chiselling of draperies, and the whole world on art in general. He is still fighting the Berlin municipality because it wishes to run cars down the Unter den Linden. He has reversed the decision of the annual Schiller Prize Jury, and once at least he published some verses of his own, an "Ode to Aegir." It had to be followed up, however, with so many prosecutions for lèse-majesté, on account of the parodies that appeared in the press, that he has not repeated the experiment.

I have said that the Kaiser's energies are animated and directed by intelligence and sense of duty. This last is a static quality, and governs the whole. The Kaiser has the highest possible conception of what he owes to the nation and of what the nation owes to him. The two are blended so inextricably that they must be considered together. If William II. appealed to the divine right as a sufficient reason for crushing out all opposition, there

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would be no more to be said. But he does nothing of the kind. Believing with all the might of his earnest and deeply religious nature that he and his are the agents appointed by Heaven to lead the German Empire to greatness and success, he realizes that the position exacts terrible obligations. These obligations he strives unceasingly to live up to. Duty has been from the first his paramount watchword. On the very eve of his marriage he exercised his company as usual, and on the morning of the ceremony rode over to Potsdam at six o'clock to decorate a sergeant-major. There is a strain of real loftiness in his orations on the duties of royalty. "You know," he once said, "that I regard my position as appointed for me by God, and in this consciousness I daily labor; and be assured that every morning and evening of my life I begin and end the day with a prayer for my empire, my realm, and Brandenburg, which is so near to my heart." Again: "This 'Kingship by the grace of God' expresses the fact that we Hohenzollerns accept our crown only from Heaven, and are responsible to Heaven for the performance of its duties. I, too, am animated by this view, and am resolved to act and govern on this principle." In all this there is nothing ridiculous. If sincerely held—and there is no question of the sincerity with which the Kaiser holds it—it is as fine and inspiriting an ideal as any ruler could be possessed by. Year in and year out, it braces the Kaiser to a sum total of exertion that without some such support would prove too much for any human being. He was once accused of spending too much of his time on sea-voyages. His reply showed a very pleasing aspect of the man. "Whoever," he said, "alone with himself on the high seas, standing on the ship's bridge, with only God's firmament above him, has entered into the chamber of his own heart, will not mistake the value of such a voyage. I could wish that many of my countrymen might know such hours, in which a man can give account to himself of what he has won and done. Here lies a cure for over-estimation of self, and that we all need." Such a man is not of the type that spares himself or allows others to spare themselves. He levies unstinted toll on himself, but he expects as severe a tribute from his subjects. Moulding himself on the solid principle of duty, he looks for all others to do likewise. It is this sense of the paramountcy of duty, at least as much as his dread of revolution, that inspires those periodic harangues in which his soldiers are warned

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that the time may come when, in obedience to orders, they will have to shoot down their own fathers and brothers in the streets. Were the Kaiser a private in his own army there would be at least one German soldier for whom such reminders would be superfluous.

It is, therefore, only fair to remember that the assumption of the divine right throws a heavier burden on the Kaiser than on any one else. His notion of an ubiquitous paternalism is one that other nations have rather left behind them. It still has to be recorded that under his guidance it has scored in Germany many a brilliant triumph. Without it, indeed, where would Germany be to-day? We catch too readily at the absurder side of it, at the royal photographs with their "*Sic volo, sic jubeo*" inscription, the lèse-majesté trials, and so on. We laugh at the haughty sentence: "There is only one master in this country, and I am he. I shall suffer no other beside me." We laugh again when the Kaiser declares that "the ways into which I and my government have struck are the right ways, nor can I deviate from the path which I have prescribed to myself, and for which I have only to answer to God and my conscience." We laugh once more when he laments that "even the word opposition has reached my ears. Gentlemen, an opposition of Prussian noblemen, directed against their King, is a monstrosity." But we should, at the same time, remember that if any man can earn the right to speak so and to act so at this day, then the Kaiser has earned it; that he is himself a harder worker than any of his subjects, and that the example he sets of devotion to a great ideal is one that no country can afford to be without. He believes in monarchy as an acting force, believes in it as Americans believe in their Constitution. And it is just because he believes in it that he calls in to its support every accessory that his nimble mind suggests. His love of ceremony is often ascribed to mere vanity, but that surely is wrong. No doubt he likes it for itself and for its artistic effect; but he values it, in the main, because it adds to the majesty and imposingness, and therefore to the popularity, of the throne. No man would change his uniform six times in a couple of hours for the mere fun of the thing. The Kaiser does it because it is his maxim that a thing worth doing at all is worth doing well; and if he carries out that maxim in little things, he does not forget it in great.

SYDNEY BROOKS.

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WHAT CONSTITUTES A PLAY?

BY MARGUERITE MERINGTON.

It is constantly asked, What constitutes a play? and many are the answering formulas the bookmen have laid down. However, in this, as in all things that are the product of creative force, there comes a point at which definition stands still before a subtle, unreducible something that eludes analysis, transcends interpretation, and yet by its sympathetic appeal to the spirit proves itself the essential quality. For the advent of this divine messenger the artist at best can only prepare conditions and set wide the door. Its response to his invitation will remove him forever from the rank of artisans, yet no more than these can he explain its true nature. All said and done, the quickening spirit that turned the statue Galatea into Galatea the woman always will remain the gift capriciously bestowed, the jealously guarded secret of the gods.

The play differs from other art-products in this respect, that when it has left its maker's hands it still is incomplete. It is but one bar of a trinity in which player-folk and play-going folk must be component elements. On occasions when the literary and leisured classes rub social elbows, it is not an infrequent experience for the craftsman in dramatic art to be enjoined, "Oh, you must meet Mr. So-and-so; he has written a play!" And when the craftsman enquires, "And, pray, Mr. So-and-so, where has your play been produced?" the response, accentuated with a pained shudder of superiority, is like to be, "Oh, my plays are not intended to be produced!" Satisfaction in this attenuated negation is possible for the incurable amateur alone. To the workman it is grotesque, as though a boat-builder were to boast that his craft had been designed with the express purpose of remaining forever on the stocks, without matching her strength and

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fleetness against wind and wave; it is pathetic, as if prospective parents should calmly petition Heaven for a lifeless child! True, every abortive art-attempt cannot be too early, too conclusively, exposed on the nearest Mount Taygetus; but equally true it is that every art-attempt that has been nobly begotten and healthily born owns the birthright of all created things, to clamor lustily and fight to the death for life!

Produceableness, actableness, fitness to be presented before witnesses, is the crucial test—a test from which the highest literary or readable merit does not exempt it—of a play's title to the name. To the uninitiate, a drama in manuscript presents a story indicated by a technical arrangement of gesture, speech and silences; to the mind that conceived it, it already is a veritable incarnation, demanding actors to demonstrate it and audiences to attest its right to live. A play come to full fruition is a story about fictitious persons, represented by real persons in the presence of people. Each scene, each phase of its development its author has lived through in the puppet-booth of his imagination, whose marionettes are the children of his psychic fatherhood, the persons of the play.

Persons, as everybody knows, originally were personifications. Types, composites, symbols, rather than human portraitures, they began by presenting themselves as exaggerated or contracted figures, whose voices were sounded through the mask that accounts etymologically for their name, walking on stilts to aggrandize the dignity of suffering, comic by token of extraordinary fatness or leanness, and so on till they declined into the homilists of Miracle and Mystery, with labels, vicious or virtuous, tied about their necks. But we have changed all that. The change, dating some centuries back, discarded stilts and symbols, and drew, crudely, ruggedly, but honestly, from nature's self. Angels long since were relegated to sacred edifices and grand opera; wickedness no more is concentrated in one solipsistic gentleman, but is a public fund in art; the modern play aims to paint pictures of life—life romantic or idealized, but still the life that is or that could be lived by persons we know, or whom we should, or possibly should not, like to know.

Dressed in the garb of contemporaneous life, to repeat the eternal myth of life is the function of the play. Through whatever exterior forms and fashions the drama may pass, of all the

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arts it always has been, is, and will be nearest of kin to life; and that, not because living men and women are implicated in its representation, but because it is fundamentally an epitome of life, a complete statement of the human case in art.

Then, concerning the marionettes, how many does it take to make a play? The *donnée* of a story assented to, what characters must be impressed to set forth its argument? What colligation of men and women, and in what combinations and contrasts, is necessary dramatically to state the case of Man and Woman which is the basis of all stories?

The wise child in playcraft works out his problem with the smallest possible number of masks, and that from no sordid intent to minimize the salary list, but in order to avoid confusing his audience with superfluous complications and relationships. When he introduces a mob, a crowd, or a chorus, he makes it speak as a unit, so that, bringing to the story the value of but one point of view, it may be rated on the playbill as one person. This being so, can the play devote itself to a single, pivotal character—a hero, perchance, dealing with events of map-changing import? Impossible. It is the time-honored office of the bard who is backed by the epic muse to celebrate arms and the hero; and, though in all the epics, at the outset, a woman has made the mischief that has set nations by the ears, still in the resultant story she plays no essential part. The solitary hero belongs to the epos, not the play. Humanly, and therefore dramatically, speaking, it is not good for man to be alone.

Woman by herself, artistically considered, has no status, and exists only by the courtesy of man. Outside the pale of natural human relationships, the drama of the ages has accorded her no place. Vainly the Woman Suffragists and chivalrous masculinity will cast about for names wherewith to contradict this thesis; till a new dispensation shall prevail it must stand. Penelope was a wife before she was a heroine; the Maid of Saragossa was a heroine because she was a lover; the heroineship of Boadicea arose from her widowhood, when the call of outraged maternity goaded her into the avenging chariot. In the battle of sex and the battle of arms alike, Woman, however stubborn her resistance, must finally meet her match—nay, her conqueror!—in Man. Artistic completeness demands that Bradamant shall succumb to Ruggiero; that the Amazonian Penthesilea shall die on the breast of her

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dearest foe Achilles; that the beautiful Miss Byron who has adopted six volumes' full of brothers shall marry Sir Charles at the conclusion. In art, when the Virgin deliberately renounces the sex-love that is her birthright, it must be in the service of some high spiritual cause that leads her to unsex herself in glorious martyrdom like La Pucelle, or in a nunnery to be refined away into the sexless vestal, like Thérèse and other sainted brides of Heaven.

Since, then, one individual obviously fails to be dramatic, let us ascertain what possibilities lie in a company of two. The answer is contained in the word "company," whose sweet concordance the traditional third person is needed to break up. The pair whom God hath joined, or it-was-a-lover-and-his-lass, being the elemental two in the predestined scheme of sex, it seems as if it might fairly be expected of them to represent the human case in art. But a brief consideration will show that this is not the case, and that a third and discordant note must enter to show them up in their true relation toward each other and toward the harmonies of life. Drama implies mischief, a dislocation of orderly events, a disturbance of Heaven-ordained peace. The essence of drama is trouble leading to catastrophe, and it is whether the catastrophe is averted or submitted to that stamps the drama tragedy or comedy. All proverbs to the contrary, notwithstanding, it takes more than two to engender trouble; to make, or make up, a quarrel. The pair, the man and woman in an ideal union, form the pastoral, the idyl, whose course runs too smoothly to be dramatic, and whose foregone conclusion of happy-ever-after is bought by no spectacular heroics, no red outlay of histrionic blood. Attuned to such bucolic strain, the world began with the beauty of all Eden for *mise-en-scène;* accordingly, of drama there was no hint till the third person lifted its head, tempter of parable, villain of the play. As a character in one of Ben Jonson's comedies remarks, "There's no play without a devil or a fool in it!" This serpent of the paradise may be a fiend personified, or an incarnate fool, or his malign activities may vent themselves subjectively in any one of his protean forms of sin and folly; but, whatever the mask he may choose to wear, his existence is indispensable to dramatic art. His is the sombre shadow needed to throw the white light of virtue into high relief. Three, then, clearly, is the mystic number from which arises the

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dramatic quality: broadly speaking, the burden of a dramatic story will fall upon a trinity, one of whom may be a subjective agent. Iago is a personal devil, but in "Macbeth" the overweening ambition of a loving wife is the incorporeal demon of the tragedy. All other characters beside these three generally are collateral or accessory, and as Horace sagely advises, "Nor let the fourth person be officious to speak!" Two persons and a passion may possibly make a play, but three persons never fail to engender both a passion and a play. In such a combination the clash of conflicting interests will best be shown by opposition of sex, or by lack of balance in the proportion of the sexes. An insufficient number of suitable partners to go round will produce drama, just as surely as a dearth of wives on the Palatine Hill made history.

> "Here on this beach, a hundred years ago,
> "Three children of three houses, Annie Lee,
> "The prettiest little damsel in the port,
> "And Philip Ray . . . and Enoch Arden played!"

The keynote of drama is struck in these opening lines of the poem when three persons are announced, one of them being beautiful, since for only two can there be a satisfaction of the heart interest; so that, no matter how events may be manipulated, some one must be sacrificed. Summing it up, then, two men will unite in peaceful partnership; a group of men will coalesce more or less harmoniously into a firm; two women will maintain an alliance for defensive or aggressive purposes; a band of women will resolve themselves into a club; a man and a woman left to themselves and to each other will settle down to undramatic domesticity, if not happiness—but, given two women and one man, or two men and one woman, and the outcome is a play!

While the love-contest of the sexes habitually serves for basic theme, this is by no means an invariable rule. Ofttimes a cause, a kingdom, is the real bride of the play. Conquest, not Katharine, is the romantic object of Henry the Fifth's desiderative quest. Occasionally, as in "The Two Captives" of Plautus, a dramatist is so hazardous as wholly to banish woman from his scheme. Sometimes filial or parental love is the *leit-motif;* or, as in the "Antigone" of Sophocles it is sisterly devotion that inspires the tragedy. But the majority of plays read their culmination in the

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bridal synthesis. The typical drama offers a statement of the human case in its relation to the spiritual forces underlying destiny—and every complete statement of the human case calls for man and woman, shadow and light; man and woman, joy and pain; man and woman, hope and despair; man and woman, Hell and Heaven!

It is in the skill with which he groups the persons of a play that the cunning of a master's hand reveals itself; and it is the range of emotion allotted to these persons that measures the greatness of the theme. The dramatist must be judged in part by what he has to say, and partly by the way in which he says it. The literary beauty of "Hamlet" is monumental; in its subjective plan, mark what forces are at work—the natural affection subsisting between father and daughter, brother and sister, mother and son; reverence for the sainted dead; love of country, sex-love, friendship, loyalty; and the antithesis of these: guilty lust, servility, cunning, treachery. What chord of the passional symphony is there that in this masterpiece has not been struck!

It is to be noted that Shakespeare's grouping of his persons generally involves some daring idea of contrast. The coquettish grace of a Rosalind's wooing is offset by Phœbe's clumsy pursuit of Ganymede. Hamlet's counterfeit dementia is placed in startling juxtaposition to Ophelia's unsimulated ravings. "Enter Edgar disguised as a madman" is closely followed by "Enter Lear fantastically dressed with flowers!" Throughout Shakespeare's pages the folly of wisdom is confronted with the wisdom of the fool. And so, in the winding mazes of a drama, the marionettes must perpetually come together in relations that blend, contrast, and enhance one another, just as, in an orchestral number, all the instruments are laid under contribution, according to the value of their several temperaments—the romantic strings, the plaintive or playful woodwinds, the assertive, martial brasses, the low-comedy percussives—to produce a harmonious whole!

One weighty obligation rests upon the playwright toward the characters his art informs with life, and that is his undying responsibility for their character! In the playwright's longer catechism, the fidelity with which he follows up these children of his fancy to the altar or the grave will count as a cardinal point in his salvation, his claim to immortality. The saying that in the long run it is character that tells, has its direct application

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to the drama, where character becomes a matter not of the Christian virtues, but of characterization. The modern manner, having outgrown the artificial stage where human nature was delineated by personified impossibilities, insists that every person on the playbill shall be a personality. The character-conception of each sojourner on the scene must be clean cut, its development must proceed with inexorable logic on the lines of its own individuality, from its initial entrance, from its maiden speech, to the curtain's fall. Fortunately for art, the whilom trick of tagging *dramatis personae* with catchwords or the tedious iteration of some trivial phrase, is out of date; and, while dialect, physical or national peculiarities, all may lend some color-value when handled with skill, yet characterization is something that goes below the skin, deep into the secret places of the heart and soul. The deformity of Giovanni Malatesta, the fiery nature betokened by the swart complexion of the Moor, such eccentricities as these are legitimated by their indispensability to the play's catastrophe. And unless the man who signs his name to the play can enter with his own soul into each part, think it, feel it, speak it, in a measure do it, he cannot expect other men and women to enter into his conception sympathetically, which is the office of the audience, nor can other men and women translate his conception with love, which is the secret of the actor's art!

Just as the inexorable logic of character persists through the play's events, so no person on the playbill, however subordinate, can afford to be insignificant. Every word, essential gesture, expressive silence, devised by the playwright, must find its motive in the psychic essence of the part, must tend to some definite dramatic end in the structure of the play. These are no hard and fast rules framed by didactic theorists; they are the simple economics by which the great masters who knew what they were about have lived. The space within the puppet-booth is too restricted, too precious, ever to be cumbered lightly; therefore, in play-building no individual may be permitted to come upon the scene, or to remain upon the scene, without some clear errand that must be accounted for in words, or that must be so obvious as not to call for verbal explanation.

It is a vital principle within this puppet-booth, that, unless the marionettes are allowed to work, they will not play. The novelist, to whom is unlimited license to toy with time and space,

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may talk about his people from sheer literary wantonness; but in a play there are no people; everybody on the playbill is a person, with a definite task to perform, and one which, moreover, no one else is qualified to perform, from announcing "The carriage waits, my lord!" to the killing of a Cæsar. Then, when the man has done his dramatic duty, he has earned from his author a happy or unhappy but definite dismissal, even if, like the Fool in "Lear," he goes to bed at noon!

In its last analysis, the play must stand for the logic of character working through the logic of events. The marionettes in the puppet-booth are expected to keep their audience surprised, interested, by the things they say and do; but when all has been said and done, the things they say and do are the only things those particular persons under those particular circumstances could have said and done! However fanciful the premises the playwright asks his audience to accept, in the sequence of his happenings he owes them the logic of truth.

That the persons of the play, under extraordinary conditions, shall produce on an audience the effect of human nature, is the touchstone of the playwright's art—and the possibilities of art are infinite as those of human nature.

MARGUERITE MERINGTON.

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ŒDIPUS AND THE SPHINX.

BY EDGAR FAWCETT.

"THIS way, Lysander," shouted Œdipus,
"Why tarriest thou inert?
Here, where these bluff crags glisten against the blue,
Our fated path sheers. Come!
A hollow of rock is twisted summitward,
Even as I said. From yonder vale we reach,
By just these devious clamberings, we two,
The vile Thing's lair.
So shall we steal upon It, swords alert,
Ere It hath time to turn Its greedy gaze
From the broad popular stream-rimmed street.
Nay, boy, thy courage? Hast thou moulted it
Like a sick eagle his feathers? Come!"

"Look, Œdipus!" Yards down, through prongs of cliff,
Lysander's cry shot shuddering.
"By this dread signal, rolled from yonder steeps,
We are warned! The fates rule unpropitiable!
Fare back, dear friend,
Fare back, though all Thebes hiss thy baffled vaunt!
Fare back, I adjure thee!"

Pity and scorn laughed Œdipus, and now
Impetuously upsprang.
Cloakless his breast and shoulders braved the breeze
With symmetries august
As those the great Greek sculptors give their gods;
With feet a goat's for surety, and his eyes
Radiant rebellious.

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The strait ravine veered narrowing till it coiled
A stair whose rough sides pricked his restless arms.
Then sudden, as though your step
Should crush dry reeds, the youth trod snarls of bones
In hideous lacework; some gnawed nude,
And others bloody and ragged, as from wrench
Of ravelling teeth. He paused,
An instant numbed by nausea; then
Dashed on and up, imperious, terrible.

At last the ascent ceased, and a flat space gleamed,
Ranged round with splints of rock, and foully paved
With pallors and raw reds of carnage. Here
Lodged the unutterable Thing.
Here, here—but where? Beyond him, drowsed
With marble might of tower and temple Thebes·
But ere one reached it, one must thread
The people's way—wide-winding cityward
Between two bright streams, Dirce and Ismenus
For months by this live Horror sentinelled.

Here, there, the youth gazed searching—
Stony yellow, and stony brown,
And stony white on every side of him!
No hint of life, all immobility—Ah!
Yonder a movement! Yellow and brown and white,
Like Its encompassings, a Shape sprawled huge.
He dashed to assault It; but his two-edged sword
Grew instantaneously void air,
While the Shape turned and looked on him.

A lion, a bird, yet human! Œdipus
Felt first the intense monstrosity
Of wings half sheathed, of leonine body. Then
A woman's breast, a woman's face
Dizzied him with wild wonder. Centuries
Of effort to attain the beautiful
Seemed in that breast and visage concentrate.
Massive were both, yet rich with delicacies;
The neck, throat, bust, one lily of regal grace;

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The lips, a flowering passion; brow, cheek, chin,
Melodiously attuned and intertwined,
As if their curves were rhythms of some high strain
Inaudible here, and heard alone in realms
Where gods commingle; and the eyes,
For pupil and orbit grand,
Emeralds of drowsy mystery, drowsy fire,
Twilights of eves or dawns, howbeit the soul
Might will to interpret them; twin deeps,
Fathomless and crepuscular.

Rallying from shock, spake Œdipus: "Thou art
That pest who fain would desolate fair Thebes.
Thou art goddess, too; else my stout sword
Had not so vanished from this grasp whose aim
Was thy destruction."

Loiteringly the Sphinx: "I am goddess. Why
Hast thou adventured thus
By sidelong stealth upon my vantage—thou,
A mortal? Didst thou dream
By trickeries to o'erthrow me? Look
On these crude records of audacity
Less rash than thine."

"I have looked," he hurled, still obdurate
Though awed. "I have known, besides,
The abomination of thy questionings
To all who pass thee. Nay, if such thy power,
Kill me, as thou hast melted into naught
The sword I had meant to plunge in thy dark heart.
Yet, ere thy Riddle is asked,
Thy Riddle it bodes quick death
To fail of answering, tell me what thou art,
And wherefore, and how long thy beauty of beast,
Blent with thy beauty of woman, shall inflict
Bane upon Thebes."

"I tell thee nothing. Guess my Riddle or die."

With fierceness of the tiger and wolf in one.

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He darted toward her. "Give thy Riddle, O fiend,
And may the gods befriend me!"

"Fatuous boy," she laughed,
In calm of supercilious indolence,
"Guess this." And then with tones of gold,
Languid, yet savoring of harsh cruelty,
She further spake. What fell from her was not
The old legendary enigma, catchword snare,
That children learn to-day, but weightfuller
With many a pregnant meaning. Time
Was in it, and eternity, and the flux
Or reflux of man's destiny; the laws
Of love, hate, honor, duty, obedience;
Of art, song, music and the idealisms
That haunt us with such tender tyrannies;
The starry and silver cobweb spun by space;
The whither, whence, beginning, end of all
We have named Divinity, glimpsed vague through life.
And ever amid this awful monologue,
A note of query implacably would ring,
Until at last the tones of gold grew hoarse:
"You hear my Riddle. Unweave it me, or die."

A trance had fallen on Œdipus. He stood
Statuesquely motionless and calm,
While some power made of him an oracle,
Delivering from unconscious lips
Largess of truth and wisdom. Then he waked,
As from a dream sublime, with echo and throb
Of thoughts miraculous in brain and blood.

But violently the Sphinx
Had risen erect. Against her lion flanks
Lashed the sleek lion tail; her claws distent
Rasped the tough rock; strange pulses woke
In her chimæric wings. Yet boundless burned
The tragedy of anguish on her face.

"Thine is the victory. Take it, Œdipus!
I had feared this, dubiously, yet feared it. Now

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The death dealt many another swings
Back with annihilation upon myself.
But thou, my conqueror, be thou merciful!
Think not of me hereafter in hard scorn,
As glacial intellect with animalism
Conjoined, an individuality
Spurred by its own will to its own crime. Nay,
I was but the incarnate Prophecy
Of what the People in future years will prove,
Half bestial and half spiritual. I flaunt
My Riddle, as they will flaunt their own.
Time thus doth pre-delineate their wild need,
And they will punish, even as I have done,
Thousands incapable of answering it.
But thou art emblem of the omnipotence
Which Knowledge, luminous guide and guard and god
Of man, will somehow, sometime, somewhere, pour
Torrentially, beneficently down
Upon his darkness and his ignorance.
For all is Knowledge; even the loftiest Love
Is parcel of it. We are but images
And symbols. In rehearsal weird
Thou hast slain me, Superstition. Thou,
Science, assaulter of the Unknowable
Until it yields its ultimate secret, thou
Must suffer, and with exorbitance of pain,
This being the doom of all who fight to tear
From nature, deity, what thou wilt, its mask
Of incommunicable reserve—
O Œdipus, farewell! yet thou shalt fare,
I fear me, not so calmly as I, whom now
Morningless night enshrouds. We are shadows both,
Flung on the eternal by the temporal,
And both in shadow at last one shadowland
Obliviously shall sepulchre. Farewell!"

"Stay, stay!" cried Œdipus, "I am fain
To question of thee . . " But, with drearier cry
The Sphinx, her vast vans opening, upward soared.
One moment lofty in air she hung.

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Without a quiver of plumage, hung serene,
As though in fixity perpetual. Then,
With speed to have shamed the eye's alertest wink,
Whirled herself to the chaos whence she had come.

EDGAR FAWCETT.

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PRESIDENT ROOSEVELT AND "THE TRUSTS"

BY JOSEPH S. AUERBACH.

It is safe to say that the most important contribution yet made to the literature of so-called Trusts has been the series of addresses lately delivered by Mr. Roosevelt. The views of the ordinary citizen on the subject, while they may be interesting, are for the most part academic; the settled convictions of the President of the United States stand for a good deal more.

In the opinion of Mr. Roosevelt, the evil, or tendency to evil, in Trusts is so evident that the intervention of the National Government with new authority by means of a sweeping, far-reaching Amendment of the Constitution of the United States, is alone equal to the pressing emergency of their investigation and control.

The phraseology of Mr. Roosevelt is as unique as his plan.

In Cincinnati, where he delivered his last elaborate address upon the subject, it was said:

"The necessary supervision and control, in which I firmly believe as the only method of eliminating the real evils of the trusts, must come through nicely and cautiously framed legislation, which shall aim in the first place to give definite control to some sovereign over the great corporations."

Then, it is stated, will come the knowledge necessary for action, and then the action. And again:

"We need additional power and we need knowledge. Our Constitution was framed when the economic conditions were so different that each State could easily be left to handle the corporations within its limits as it saw fit. Nowadays, all the numerous corporations which I am considering do what is really an Inter-State business, and as the States have proceeded on very different lines in regulating them, they are often organized in a State in which they do little or no business, and do an enormous business in other States contrary to the spirit of whose laws they may be openly antagonistic."

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Because there seems to be no prospect of uniform action by the several States towards these corporations it is urged that:

"The States must combine to meet the problem caused by the great combinations of capital, and the easiest way for the States to combine is by action through the National Government."

It is then stated that "a good deal can be done by law"—though there is little or no information as to what it is to be a good deal of—yet a Constitutional Amendment is advocated for procuring, through enforced publicity, the requisite knowledge of the doings of these corporations and for the promulgation of plans for their regulation.

We are thus brought face to face with a plan startling in its possible consequences. Precedents and traditions which have become an accepted part of our political institutions, and under which our commercial activities have been developed until we have come to our existing internal prosperity and to our admitted place in the councils of the world, are to be abandoned in favor of what, we believe, can be shown to be nothing more nor less than an experiment. The National Government is not merely to regulate, but, through the coercion of a Constitutional Amendment and of mandatory statutes, is to have an important voice in the origin and development of commerce; the purposes of corporations are to be the subject of national inquiry. State lines are in large part to be obliterated; Centralization is at last to be enthroned.

A great step this—backward or forward, as the case may be. We may have come to the necessity for it all; the body politic may be so diseased as to require such heroic treatment, but we shall do well to have it first made abundantly clear to us that this condition exists and is not merely guessed at.

Within the limits of a magazine article, it is proposed briefly to consider the views of Mr. Roosevelt with all respect, and yet with the feeling that, when he becomes the advocate of such a departure, not associated with his executive position, he subjects himself to ordinary comment and criticism.

The Constitutional Amendment and subsequent legislation are not described, except that they are to be nicely and cautiously framed. In fact, any knowledge as to what the form of either ought to be is disclaimed, but it is announced that the first aim must be to give definite control to a Sovereign over these corporations. There is, it will be noticed, no hesitation in going to the

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logical conclusion to which such views lead; and old phrases, long since discarded, reappear to do good service when centralization in the National Government is aimed at anew.

Again, and with like appropriateness for such a plan, the Constitution is spoken of as having been adopted under conditions where each State could easily be "left to handle the corporations, within its limits, as it sees fit." The idea of a sovereign power in the United States, dominant in Mr. Roosevelt's mind, must be responsible for this expression. The States were not "left" by any one to handle the corporations within their limits. The powers of the General Government are not those which remain after the transfer to the States of their respective powers. On the contrary, the powers of the General Government represent simply the sum total of the concessions from the several States. The States retained what they did not part with. This is not a technical, over-refined distinction. It is fundamental, and on it rests one of the underlying principles of construction of the Constitution. Express language of the Constitution itself has made this abundantly clear.

Among its first Amendments, interpreted by the United States Courts not to contain restrictions on the powers of States, but to operate solely upon the powers of the Federal Government, it is provided that:

> "The powers not delegated to the United States, by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people."

It is announced, too, that this power was "left in" the States, as this could conveniently, or, to use the precise words, easily be done, since, when the Constitution was framed, "the economic conditions were so different." Though this expression is not quite clear, it is fair to assume that what is meant is that our commercial relations were then either so insignificant as to be negligible, or that they were deemed to be of such a character that it was proper or easy to permit the States to exercise the control over corporations now authorized by law.

These views are not correct. The States have the power because they chose to retain it, and the economic or commercial conditions then in existence were not only given full consideration, but were regarded as of such vast importance that from them, more than from any other source, came the Constitution itself.

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So complete was the confusion in those conditions that there were then urgent reasons, wholly lacking now, for surrendering to the National Government the power sought for by Mr. Roosevelt.

The Articles of Confederation failed of their purpose and were productive of good results only while the people were under arms. Even as the War of the Revolution dragged on, the inherent weakness of the Government came to be more and more apparent. With victory and peace came the realization that the hope of the survival of the nation lay in some new and additional power in a common head. "A nation without a national government," Hamilton had termed the United States under the Articles of Confederation. The inability of the Government to impose or collect taxes was serious enough, but the chief defect lay deeper still and is voiced in the call by Virginia for a new compact between the States. New York had taxed the products of New Jersey, and New Jersey those of New York. Virginia taxed the tobacco of North Carolina. There was serious conflict between the States of Maryland and Virginia, in the navigation of the Potomac and Chesapeake Bay; and the States, according to their whims or supposed interest, had laid imposts upon foreign commerce.

This ever-famous resolution of Virginia, looking to a conference of the representatives of all the States, was the recognition of the hopelessness of the existing confusion. It was the foundation of the movement for the establishment of the Constitution, and it made these commercial interests its very corner-stone. It declared that the purpose was:

> "To take into consideration the trade of the United States, to examine the relative situations and trade of the said States; to consider how far an uniform system in their commercial relations may be necessary to their common interest and their permanent harmony."

The Constitutional Convention, afterwards convened, adopted, as the solution of the difficulty, the provision of the Constitution that Congress shall have power "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

Even under the urgent need of a national control over commerce, the provision was adopted without a full realization of what was to be its final construction by the Courts. The views of the framers of the Constitution, and the first decisions of our inferior

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courts, all point to a limited construction of this provision, rejected in the great decisions ultimately interpreting it. The States, while intending to reserve to themselves co-ordinate powers with Congress, had vested in Congress a wider and more complete control of commerce than was ever contemplated. The discussion as to the adoption of the exclusive right to regulate commerce with the Indian tribes, proposed to be reproduced from the Articles of Confederation, leaves no doubt on this point; nor is there any question that the provision as it now stands would have been essentially modified if the decision of the higher courts could have been read into it as a context.

But, though it had been supposed that this power of regulation was to be concurrently exercised by the States, the broader construction was adopted, and now in Congress alone resides the exclusive power to regulate commerce. In like manner, the word "commerce," which at the time of the adoption of the Constitution meant primarily transportation, has broadened in meaning, keeping pace with the development of the country, until it includes now communication, and even intercourse, between the States.

Under this Constitutional provision, Congress has passed the Sherman or Anti-Trust Act of 1890, with its sweeping condemnation of all contracts in restraint of Inter-State commerce; and the Supreme Court of the United States has left no doubt either as to its constitutionality or its scope. It has been liberally, not narrowly or strictly, construed. It has been held to reach all contracts in restraint of trade, even though slight and reasonable. The common-law rule making unreasonableness to be the test of the invalidity of trade restraint, was wholly discarded in the framing of this legislation, with consequences to which we shall refer below.

Again, as above quoted, it is said:

> "Nowadays, all the numerous corporations which I am considering do what is an Inter-State business, and as the States have proceeded on very different lines in regulating them, they are often organized in a State in which they do little or no business, and do an enormous business in other States contrary to the spirit of whose laws they may be openly antagonistic."

Supposing this to be so, no one need have any solicitude for the States whose policy or whose laws are opposed to the doings of objectionable corporations created by other States. In so far

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as these corporations are not engaged in Inter-State commerce, the right of regulation is in the States. Even where they are engaged in Inter-State commerce, each State may for itself determine how far they shall do business by way of having offices, plants and property within its limits. It can deny to them pretty much everything except the means necessary for soliciting the sale of a product, and its subsequent transportation and delivery. Except when, and to the extent that, they are engaged in the exercise of Inter-State commerce, each State has the right to exclude corporations of other States, from doing business within its borders. It need give no reasons for its action; its power is complete and final. It may act from insufficient causes, yet there is no appeal.

All these questions have long since been set at rest by decisions of the Supreme Court of the United States.

This proposed Constitutional Amendment, wresting from the State the control of its own corporations and the right of exclusion of corporations of other States, would vest in Congress the substantial control of all commercial interests; for the business of this country is to-day in large part transacted by its large corporations. If there were no other objection to the plan, its abrupt transition would be sufficient to condemn it. But the substance, not the form, of the change is its chief objection; for no plan could, it is believed, go further than the proposed Amendment to break down State lines, and to deprive vested interests of the security of State refuge, which may be so vital in the future.

"No political dreamer," says Chief Justice Marshall, "was ever wild enough to think of breaking down the lines which separate the States, and of compounding the people into one common mass." If the time for such political dreaming has come at last, then, when it is too late, there may well be a rude awakening to a more hopeless condition of things than even the chaos out of which the order of the Constitution itself was fashioned.

Not simply conjecture of evil in some of these corporations, but only the demonstration of great evil in all of them, would justify overturning the nicely balanced reciprocal National and State authority, now an accepted part of our institutions, and then only after every other reasonable device had been tried and discarded. Urgent cases make bad law; but at least the emergency is provided for, even though a harmful precedent be established. Here there is not yet the demonstrated emergency to be dealt with, and the

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adoption of the proposed plan might work great injury without even the correction of a discovered evil.

Mr. Roosevelt does not attempt to recite any evils against trusts, but leaves this part of the subject with the simple statement that "the evils attendant upon over-capitalization alone are, in my judgment, sufficient to warrant a closer supervision and control than now exists over the great corporations."

Mr. Knox, also, the Attorney-General of the United States, an accomplished lawyer and the chief legal adviser of the President, in a late speech before the Pittsburg Chamber of Commerce, supplementing Mr. Roosevelt's views on the subject, singles out over-capitalization.

Mr. Knox recites various other evils, which it is impossible to consider within the limits of this article. They, however, may be said to group themselves into two classes: those in the one class, we believe, are largely conjectured; for those in the other class existing laws give ample redress, or the mere lapse of time should work a solution.

As to over-capitalization, upon which both Mr. Roosevelt and himself fix as the "very head and front of the offending" of these corporations, Mr. Knox says:

> "Over-capitalization is the chief of these, and the source from which the minor ones flow. It is the possibility of over-capitalization that furnishes the temptations and opportunities for most of the others. Over-capitalization is the imposition upon an undertaking of a liability without a corresponding asset to represent it. Therefore, over-capitalization is a fraud upon those who contribute the real capital either originally or by purchase, and the efforts to realize dividends thereon from operations is a fraudulent imposition of a burden upon the public.
>
> "The over-capitalized securities enter into the general budget of the country, are bought and sold, rise and fall, and they fluctuate between wider ranges and are more sensitive in proportion as they are further removed from intrinsic values, and, in short, are liable to be storm-centres of financial disturbances of far-reaching consequence. They also in the same proportion increase the temptation to mismanagement and manipulation by corporate administrators."

In so far as these alleged evils of over-capitalization have to do with the investor and not the consumer and the general public, we make no comment except that, if the investor is by misrepresentation misled to his prejudice, existing laws will protect him. In other cases, Wall Street can be depended on to take care of itself in such matters; it does not need to have its sagacity sup-

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plemented by an Amendment of the Constitution of the United States. A centralized government is bad enough; but a paternal government demanding the aid of a Constitutional Amendment to protect speculators in inflated share capital, would be a rather dangerous and revolutionary substitute for the good old-fashioned doctrine of *caveat emptor.*

That over-capitalization is an evil every one must admit, but that it increases "the temptation to mismanagement and manipulation by corporate administrators," or that the effort to realize dividends upon over-capitalized shares is the source of great evils, we very much doubt. We believe that as a rule the history of corporate mismanagement would not bear out Mr. Knox, and we are dealing with the rule, and not with exceptions, for the remedy proposed is to be general, not specific. Corporate mismanagement is traceable to a good many sources, but the evil of over-capitalization is not one of its sources, but rather one of its manifestations; and, though we do not mean to suggest that we should dispense with the aid of statutes to prohibit over-capitalization,—quite the contrary—yet a Constitutional Amendment of the Constitution of the United States ought not to be sought as an agency to that end. Time or organization may be relied upon to correct much of this abuse of over-capitalization in industrial enterprises as has been the case with railroad corporations.

Over-capitalization in most cases contains within itself the seeds of its own destruction. Investors and financial institutions after a few bitter experiences are quick to let alone over-capitalized ventures, and the absence of a purchasing public and a diminished credit can be relied upon to cure a great deal of the evil of over-capitalization by making it unprofitable.

We do not believe that the desire for large earnings is measured by the size of the capital stock of a corporation. Nor do we believe the view to be correct as a rule—and we again emphasize the remark that we must deal with the rule and not with the exception—that the over-capitalizations of industrial corporations become the "storm-centres of financial disturbances." Certainly the last three financial disturbances of the country have not been attributed to this cause, nor do we recall any such instance. Financial disturbances arise from a variety of causes: from over-confidence followed by lack of confidence; from excessive speculation in good, bad and indifferent securities, in

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products, in real estate; and from the neglect on the part of the public of ordinary principles of business prudence.

But there is frequently an underlying cause of this trouble. Periodical financial disturbances, according to the general testimony of experienced financial men of this country, entirely familiar with the subject of which they speak, are largely brought about because Congress continues to decline to adopt reasonable and urgently demanded changes in existing provisions as to our currency and our National Bank reserves. And if some part of the time that is spent in trying to catalogue the suspected evils of trusts were given to devising a sane financial policy for our Government, and to inculcating among the people the true principles of business prudence, we should be freer from financial disturbances; and what financial disturbances there might be would not be likely to rise to the dignity of having storm centres.

It is an error to suppose that these corporations can profit only by secret methods and that they are invariably opposed to a reasonable publicity as to their operations and conditions. The fact is that there are several conspicuous examples to the contrary. The United States Steel Corporation, since its organization, has without the coercion of law or statute treated its shareholders and the commercial world with all reasonable confidence. In this case, having the knowledge, is there the disclosed evil? And, if so, is any one prepared to suggest the remedy to be applied? Would it not be fair to assume that other corporations will of their own accord follow this example, or that either public opinion or the public Exchanges will exact of them similar frankness if it continue to be withheld?

It is to be borne in mind, too, that the great problem inherent in these vast aggregations of capital and intelligence—and intelligence constitutes much of the capital—is not yet understood; that much which seemed permanent has been found to be temporary; much of apparent import has become insignificant. Few of these corporations have succeeded in a way to justify the expectations of their promoters or the fears of their critics, and many a one has fallen of its own weight, not because it was too evil, but simply too big. Often has reorganization followed quickly on the heels of organization, and the attempt at an undue control of an industry, through the limitation of the output of a product or the fixing of its price, has not merely invited, but

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really spawned, rival enterprises. "*In se magna ruunt,*" is the fitting epitaph for many a so-called trust.

To await a time when developments will have suggested beyond much doubt the best plan to be adopted in dealing comprehensively with the question, meanwhile calling all offending corporations to account for their misconduct, would seem to be the part of wisdom.

To apply a remedy before the real trouble is understood is to act unscientifically, nor is one a good physician to the body politic who does not appreciate that a disease, if it exist, must be eradicated by a treatment of its source, and not its symptoms, and that, as the French cynic declares, there are diseases which all remedies aggravate.

Still, Mr. Roosevelt, having undertaken to deal with this question, may have assumed responsibility for some prompt action, and, if the plan suggested by him be abandoned as impracticable, it is believed that another and a better course is possible. The suggestion is made, not because it is believed that the time is yet ripe for the most intelligent action, but because, as an experiment, it is thought preferable to the plan proposed.

Since the decision of the Supreme Court of the United States as to the constitutionality of the Act of Congress incorporating the Bank of the United States, it is accepted law that Congress can, in aid of governmental functions, create a corporation for the purpose of engaging in foreign or Inter-State commerce. Chief-Justice Marshall, in the United States Bank case, rested this power of Congress upon the authority of the Constitution, which, after enumerating specific powers, among them the power to regulate commerce between the States and with foreign countries, empowers Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

Later expressions of the United States Supreme Court have not departed from this view; they have enlarged it.

Congress being authorized, therefore, to create corporations in aid of Inter-State commerce, it is believed that it can likewise pass a general Act under which corporations engaged in Inter-State commerce may be incorporated. The subject cannot be said to be free from doubt, but after a careful review of the decisions of the Supreme Court of the United States it is our judg-

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ment that such an Act, if confined in its purposes to Inter-State commerce and its reasonably necessary incidents, could be so drawn as to be constitutional. And by these incidents we mean to be understood to go so far as to include the conduct or control by such corporations of the buying and selling and manufacture legitimately connected with their corporate objects.

Such an Act would require that corporations availing of its privileges should from time to time make public certain information deemed for the public good. Incorporation under such Act would, of course, be permissory, not compulsory; but, in consideration of the manifest advantages of incorporation under a National Act, it is probable that new corporations would avail themselves of the privileges offered, even though with the benefits of the Act there were associated this requirement of publicity, and, perhaps, other requirements. Existing corporations, even, might reincorporate under the Act.

Such an Act, to accomplish its purpose, must be fair and liberal, drawn upon the lines of the most enlightened thought concerning corporations. While it is not necessary that it should go as far in conferring powers as the Companies Acts of England, still it should meet the requirements of modern corporate business.

The State of New York, after a good deal of bitter experience with respect to its corporation act, offers an excellent illustration of the spirit in which Congress must legislate.

For many years, there had been upon the statute books of New York State the so-called Manufacturing and Mining Act. By successive amendments it was, in 1890, abreast of the most liberal acts of other States. In 1875, there had been passed another act called the Business Corporation Act. The latter was rarely, if ever, availed of. It was drawn by a lawyer not engaged in general practice; it was narrow, imperfect, unworkable in its provisions.

In 1890, a revision of the New York Statutes affecting corporations was determined upon, and to that end a commission was appointed. Unfortunately, the leading spirit on the commission was a lawyer with little professional experience. He determined, according to his own language, to pattern the new bill after what he called the "latest expression of the legislative will," the Act of 1875; the Manufacturing and Mining Act was repealed and a most objectionable law resulted. Not until two

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years afterward, when a Committee of the New York Bar Association was appointed, was any progress made toward refashioning the Act.

To this Committee, of which the writer was a member, many amendments were conceded by the commission and adopted by the Legislature. Other changes were enacted in succeeding years until New York is beginning again to get a fair share of new corporations, and should get its full share if the tax feature of the act were appropriately modified.

But in the interval New Jersey had profited by the mistakes of New York, and the exodus of corporations from New York State to New Jersey began, and has continued ever since.

To bring about substantial results, the Act proposed must be drawn with a deliberate intent to adapt corporate forms to the transaction of commercial business, and with a full knowledge of the requirements of commerce as well as the technical structure of a corporation. Such an act should not be drawn without consultation with practising lawyers, who know the needs of their clients, and who can at least be as much depended upon as the average legislator to give due heed to the public welfare.

Perhaps the appointment by Congress of a Commission for the framing of such legislation might not be inappropriate. On such a Commission, in addition to members of Congress, might be representatives from Chambers of Commerce, practising lawyers, eminent judges. It is not impossible that among the representatives of organized labor might be found those able to render valuable public service on such a Commission.

Where a corporation organized under such an Act of Congress is engaged in Inter-State commerce, the States would be powerless to make any injurious regulation concerning it, and the right of a State to prohibit such corporations from doing business within its borders could be distinctly limited.

While it is true that many of the States have made provision by statute whereby corporations of other States, on compliance with prescribed terms, are entitled to carry on business within their borders, yet there are objectionable limitations and conditions in some of those statutes, construed at times by even ministerial officers. Not a little embarrassment has thus resulted, and the conduct of business and the ownership of property by these large corporations are not always under favorable conditions.

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Not only could such restrictive statutes, in large part, be made nugatory, but it is reasonable to suppose that the broadest comity of the States would be expressed toward corporations organized under a National Act.

The United States courts could be given jurisdiction of all actions by and against such corporations, and, as occasions arose, their reorganization could more easily be effected, for only United States courts are fitted by wide experience and effectiveness of their decrees to deal with such an emergency.

Uniform taxation could be provided for.

There could be uniformity, too, of liability of Directors, capable of being enforced by prompt and well-defined procedure in the Courts of the United States. Along with all reasonable publicity, other reasonable requirements also could be provided for.

The securities of such corporations might well furnish a more attractive investment to the public than the securities of State corporations, and the more general such an investment should become, the closer would be the relations of producer and consumer, and the less the likelihood of hostility between them.

Though by no means all, these are among the results to be looked for from a judicious Act of Congress. Assuming that such an Act can be so drawn as to be constitutional, and that it will be availed of by men having in hand large commercial enterprises—and both these assumptions are quite as reasonable as that a Constitutional Amendment of the kind proposed, even if it could be brought about, would have the desired effect—then we shall secure publicity, which seems to be the chief object of the Constitutional Amendment. And we should secure a good deal besides.

The whole theory of our nicely balanced control of State and Inter-State commerce ought, with the exercise of only reasonable comity by the States, to be worked out in practice under such an Act, not after long years, by sweeping changes or at best by doubtful expedients, but promptly, by reason of and not in spite of the Constitution. Lastly the result will come without coercion.

We are not without experience as to the choice of methods in such matters.

In the recent anthracite-coal strike the right of coercion against the coal operators was doubtful, although it was claimed they represented a so-called Trust. At best, coercion meant delay, the suffering of rich and poor, and no end of conflict between labor

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and capital. Mr. Roosevelt brought about a peaceable and prompt adjustment of a momentous situation and received the acclamations of a grateful people. He was in truth a *Deus ex machina.* He can gain like credit now in the case of Trusts by a solution less dramatic, though it may be at least equally efficacious. In fact, there are many men standing for the best citizenship who, while hoping that the action taken in this great emergency will not be productive of evil consequences, hope, too, that it should not establish any precedent; who believed that any intervention was inadvisable when the reign of law was challenged by public disorder and by bloodshed, and that a winter's comfort might be dearly bought at the price of a compromise with labor defiant, mutinous and under arms.

In the light of this experience it would be rather anomalous if these corporations, because some of them are accused at the most of avoiding or, if one will have it so, of evading State and National statutes, are not to be accorded judicious and temperate consideration.

Of course, the experiment suggested is a simple one, but such experiments ought to be simple. Important changes in our organic law which dates from the foundation of the Republic should come by growth, and not by abrupt creation.

Compared with the plan of a Constitutional Amendment, it is a coastwise passage—perhaps a millpond sail—as against the crossing of an ocean. But voyages on the great deep require much preparation and wide experience. The prerequisite knowledge to deal intelligently with this question is nearly all lacking, according to Mr. Roosevelt's own admission. If so, let the modest effort be made; the more hazardous voyage may never be necessary.

We have had, not long since, a striking example of the need of great deliberation in dealing with the question of any new regulation of these corporations.

We understand vaguely what is colloquially meant by "community of interest" in railroad circles, and we know that, from the North to the Gulf, from the Atlantic seaboard to the Lakes and to the Pacific Coast, lines of railroad, through merger or substantial union, are linked together into great railroad systems.

The existing condition, in more than one significant instance, is directly traceable to the Sherman Anti-Trust Act.

If the decision in the United States courts in the Trans-Mis-

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souri and Passenger Traffic cases had been that only unreasonable contracts in restraint of trade were in violation of the Act, and that all contracts between transportation companies could have been the subject of judicial enquiry, does anyone for a moment think that these corporations would have fled as a refuge against unwise legislation to authorized mergers? But the Act was crudely drawn, imperfectly considered, hastily enacted; the rule of the Common Law that only unreasonable contracts in restraint of trade are void was disregarded, and the Supreme Court, finding no authority for upholding agreements in even slight or reasonable restraint of trade, condemned them all.

The transportation problem of this country has thus suddenly come to gigantic proportions; and, without wishing to be understood as predicting evil consequences from these conditions, it must be borne in mind that great common-carriers, with their accompanying franchises, are to be regarded quite otherwise than are mere trading or manufacturing corporations, however great. Moreover, and this partakes almost of the ludicrous, while the whole history of the Act indicates clearly that it was intended to apply merely to so-called Trusts, and not to transportation companies, it has been held to apply to contracts in restraint of trade, however reasonable, between transportation companies, and not to reach the operations of a so-called Trust, even though seeking to monopolize the output of a special product.

The Attorney-General of the United States, Mr. Knox, is not slothful in the pursuit of these great corporations; yet he is pleading for what is the opposite of the effect of the decisions under the Sherman Act. In his Pittsburgh speech he said:

"A law regulating Inter-State commerce for its protection against restraint, so broad as to cover all persons whose business is conducted under agreements which are in any way or to any extent in restraint of trade, might exclude thousands of small concerns conducting industries in the State from marketing their products in others; but a law which only covers contracts and combinations in restraint of trade, as defined by the common law, would exclude all hurtful combinations and conspiracies. Congress can, if it sees fit, adopt the scheme of that law.

"In the enforcement of such law, each case as it arose would be considered upon its own facts, and the rule of guidance would be as laid down by the Supreme Court of the United States—that is, 'public welfare is first considered, and if it be not involved and the restraint upon one party is not greater than protection to the other party requires, the contract may be sustained. The question is whether, under the particu-

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lar circumstances of the case, and the nature of the particular contract involved in it, the contract is or is not reasonable.' "

No one could make wiser suggestions on the subject, and it would seem clear that, without any great display of repentance, the Republican Party, in so far as Mr. Knox represents it, is prepared to lead a new statutory life.

Yet, considering some of the results brought about by this crude legislation, the plea of Mr. Knox is, to use a homely illustration, somewhat like "locking the barn door after the horse has been stolen."

Whatever else may be said of his view, it is virtually a concession that the Sherman Act was drawn upon a wrong principle. Clearly, if there is to be further action in the matter, it should be with the caution born of previous error.

Hasty action toward large corporations has proceeded on the theory that capital employed in industry is seeking temporary advantage by evading the mandate of some rule of right conduct, whereas the whole history of such investment shows that in the main the effort has been to build great and permanent enterprises within the shelter of reasonable laws. It has proceeded on the theory that all large corporations were guilty of the offenses laid at the door of only a few, without recognition of the fact that by such confusion of thought all industry might be injuriously affected. To use the most felicitous illustration of Mr. Secretary Root, these offending corporations are mere weeds in the garden of prosperity and are to be gotten rid of only by patience and discrimination, and not by a destruction of the garden itself.

These corporations ought not to be free from governmental regulations, but the regulations must, to be framed intelligently and wisely, be framed deliberately. Any other course is of no effect, or of evil effect. If there are to be new regulations, then they must be reasonable in the light of past experience; they must be framed to correct abuses where they appear, not where they are conjectured; they must be directed against evildoers, not against all organized industry; they must not arraign all corporations under indictments without counts, and lastly and above all, they must be founded not on the dictates of political policy, but on the accepted principles of political economy.

These corporations may reach out for great gain; but philanthropy is not a corporate object, and it is altogether fanciful to

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seek the adoption of any Utopian plan, whereby business men for business acts are to be tried in a Court of Conscience. Evil conduct in corporations or individuals may properly enough be legislated against, but keen rivalry and the legitimate effort to secure large return on invested capital are not to be confused with evil conduct.

A former Lord Chief Justice of England, knowing men and the world as he knew law, once said when deciding a question growing out of the selfish rivalry of a great corporation whose practices were not altogether to be commended:

> "It must be remembered that all trade is and must be in a sense selfish; trade not being infinite, nay, the trade of a particular place or district being possibly very limited, what one man gains another loses. In the hand-to-hand war of commerce, as in the conflicts of public life, whether at the bar, in Parliament, in medicine, in engineering (I give examples only), men fight on without much thought of others, except a desire to excel or to defeat them. Very lofty minds, like Sir Philip Sidney, with his cup of water, will not stoop to take an advantage, if they think another wants it more. Our age, in spite of high authority to the contrary, is not without its Sir Philip Sidneys; but these are counsels of perfection which it would be silly indeed to make the measure of the rough business of the world as pursued by ordinary men of business."

Special care is desirable just now in legislating concerning these great corporations, grouped under the name of Trusts, for they stand not only as exponents of our prosperity at home and abroad, but as its sponsors as well. They are not only national but international enterprises. The scarecrow "Made in Germany" has been replaced by a real man in the field wherever these corporations are supplanting or diminishing the trade of other nations, and to-day we have a great place in the councils of the world, not so much because of our new possessions or of our new navy, but because we have pushed our commercial interests to the very ends of the earth. The agency has been the much-denounced Trust.

It is of the first importance that the efficiency of the agent be not unwisely and unnecessarily impaired, not because we should desire to be richer and more influential than all other lands, but because—while not unmindful of the far-reaching results which flow from the high ideals of the individual and of a people—we must recognize it to be true that the power of a nation for great good in the world and for establishing the peace and the happiness

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of its subjects, must rest finally for a foundation upon national prosperity.

And now it remains to add only one suggestion.

The problems which the vast accumulations of wealth and power of these great corporations bring in their train are yet unsolved. Great and enduring renown will be the award of him who does solve them, for he will have gone far in solving the problem of labor and capital. The President of the United States from his high position and with the esteem of a whole people is earnestly trying to solve them, and in this work he is entitled to the co-operation of his fellow citizens. To that end, in the hope of suggesting one reasonable way of going about the work, this article has been written. It is hoped, however, that the spirit of the suggestion, rather than its letter, will commend it.

Reasonableness is the prerequisite of any plan looking toward a closer relation between the interests of capital and labor of this land, of the producer and consumer, of the rich and the poor. It will not come, in our day or ever, through the coercion of Constitutional Amendments which undermine cherished traditions of State and National authority, or of mandatory statutes enacted in a spirit of hostility towards capital invested in industry. It will not come through coercion at all.

For this closer relation we must look elsewhere, to the development between the two interests of a wider charity, which shall derive its sustenance and its inspiration from humanizing influences, from high purposes and from all else that is making for the enlightened progress of the world.

To be given the opportunity which Mr. Roosevelt now has to contribute towards such a result, is nothing less than a splendid privilege.

JOSEPH S. AUERBACH.

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WHAT IS PUBLICITY?

BY HENRY C. ADAMS, PROFESSOR OF POLITICAL ECONOMY IN THE UNIVERSITY OF MICHIGAN.

IT is commonly acknowledged that publicity is an essential agency for the control of trusts. Evidence of this appears on every hand. In the Conference on Trusts, held in Chicago in 1899, a conference which embraced all interests from all parts of the country and all schools of economic thought, there was scarcely a paper which did not give direct or implied assent to the proposition that trusts are under moral obligation, and should be placed under legal obligation, to expose their financial and operating accounts. The Industrial Commission, to whose investigation we are indebted for what little is known of trusts in this country, submitted three independent and, in some respects, conflicting sets of recommendations, but all of them acknowledged the significance of publicity. Most important treatises on this phase of the monopoly problem, such as those of von Halle, Ely, Jenks, and Clarke, while presenting different analyses of the situation, are united in their demand for publicity. The utterances of President Roosevelt upon this point are strong and emphatic; and even Mr. Dill, the avowed advocate of industrial combination, uses the phrase when discussing remedial measures.

So universal a consensus of opinion commonly indicates that the question involved is well advanced towards a satisfactory adjustment; but such a conclusion would be far from correct if applied to the present relation of publicity and trusts. Unfortunately, the word is capable of many meanings, and must be defined before it can serve as the rallying point of a constructive policy. Such being the case, an endeavor to analyze the principle of publicity, and to point out what should be the form of the law designed to secure its realization, seems pertinent and timely.

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Any fruitful analysis of publicity requires that it be considered from at least three points of view. One must learn, first, its general significance, or the state of the public mind which publicity is designed to create; second, its particular significance, or the interests which publicity is designed to serve; and, third, its administrative significance, or the claim which publicity submits for successful realization.

THE GENERAL SIGNIFICANCE OF PUBLICITY.

The fundamental purpose of publicity is to establish in the community a condition of confidence. Secrecy in the administration of a power which in any way touches the interests of the community, gives birth to the suspicion that the power is unwisely or tyrannously administered. Not only does this state of mind impair the most successful use of the power in question, but, if the interests which believe themselves jeopardized are sufficiently important, it becomes a prolific source of political agitation and social unrest. The task of publicity is to allay this suspicion, and the statutory definition of publicity, in any particular case, must be as broad as the ground of suspicion which makes appeal to it necessary.

It may be said that this view of publicity is correct so far as the power in question is a public or political power, but that it does not apply in the case of private or commercial power. I am quite willing to admit this theoretic limitation, because it raises the question whether or not highly centralized commercial power can longer be regarded as a private power. There was a time when even political power was claimed as a private possession, and when the sovereign urged his right to administer that power without accountability to the people. We need not dwell upon the struggle that followed. The result is well known. The counter claim prevailed, and the public character of political power was irrevocably established for all peoples who acknowledge the principles of constitutional government. Accountability of public officers—that is to say, publicity in political affairs—followed as a matter of course. Commerce, trade, and industry, on the other hand, continued to be regarded as matters of private concern. For more than two centuries, English jurisprudence and English political philosophy have given formal consent to the distinction between political or public power, on the one hand,

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and commercial or private power, on the other; and, until comparatively recent years, no serious criticism has been heard based upon the practical workings of this distinction.

It would be a mistake, however, to read from this fact the conclusion that English jurisprudence has ever given sanction to the doctrine that the rights of private property are superior to the necessities of public welfare. The courts upheld the claim of secrecy in business affairs because they assumed the efficacy of competition; and it must be admitted that, while industries were small, markets local, and the relations between producer and consumer continued to be personal relations, this assumption of the courts was reasonable. Wherever healthful competition holds sway, there is no ground for suspecting a tyrannous use of commercial power and, consequently, no demand for publicity. But industrial conditions have changed. Industries are becoming colossal. The local market is a thing of the past. The personal relation between producer and consumer, which for generations exercised a powerful moral restraint upon business conduct, no longer exists. The automatic restraints being weakened, artificial restraints have, in consequence, become a necessity. Neither the assumption of publicity for industries superior to the satisfactory control of competition, nor the assumption of secrecy for industries subject to such control, may be said to possess inherent vitality; they are merely working hypotheses for the administration of justice and for the organization of the State. Secrecy against a competitor is, doubtless, a right carried by the institution of private property; secrecy against the State is a privilege which the State sees fit to grant, but which can be recalled if necessary to allay the suspicion that the privilege conferred endangers the public welfare. Interpreted in this way, publicity seems to have ample legal justification, for it rests upon a fundamental principle of English jurisprudence.

I might refer, in further support of this distinction, to the fact that the socialization of the industrial process has, in large measure, destroyed the private character of business enterprises, and that, in so far as this is the case, the power which it generates is a public power, which, like all public powers, should be administered under conditions of strict accountability. It does not, however, seem appropriate to encumber this article with a line of reasoning which would render necessary the use of unfamiliar

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words. The conclusion would be the same as that already reached, relative to the right of government to such information as may be necessary to enable the people to live in the enjoyment of equity and justice. The important fact is, reverting again to the definition of the phrase, that publicity should be defined by its functions, and that one of its functions is to dispel the suspicion that industrial power is used in a tyrannous manner, or to make it possible to specify the ground of complaint should investigation prove the suspicion well founded. Such is the general significance of publicity, and such the aim which a law that provides for publicity should hold in view.

THE PARTICULAR SIGNIFICANCE OF PUBLICITY.

The second suggestion for defining publicity holds in mind the particular interests jeopardized, or believed to be jeopardized, by the growth of colossal enterprises operating in a world's market. It will suffice for our present purpose to mention only the more important of these interests. These are: the interest of the investor; the interest of the independent or potential producer; and the interest of the consumer.

It would be a mistake to say that the public has no interest in easy and safe investments. Under the institution of private property in its present undeveloped stage, there is no other means of making provision for declining years. Moreover, it is of the utmost importance to continuous prosperity that consumption be steady and uniform from year to year. The economic necessity of high wages regularly paid is coming to be generally recognized; but the argument upon which this necessity rests applies with equal force to high dividends and regular interest, provided stocks and bonds are widely diffused among the people. The permanent interest of the investor coincides in every particular with what is known as the permanent interest of society.

It would also be a mistake to say that the investor can take care of himself. This is just what he can not do, unless he is possessed of sufficient property to protect his capital by becoming a promoter. It is a statement of stupendous significance, as indicating the insecurity of small investments, that the amounts paid by life insurance companies are, on the average, lost to the beneficiaries within seven years of the death of the insured. The small investor is exposed to the danger of the speculative pros-

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pectus, which not infrequently is so highly colored as to be utterly untrustworthy; he is exposed also to the danger of being forced to sell, or induced to sell, through false rumors or incomplete statements relative to the industry in which he has placed his capital. Whatever the precise remedy for this unfortunate state of affairs may prove to be, it is evident that appeal in some form must be made to the principle of publicity, whose function it is to let in the light and let out the facts. Any comprehensive definition of publicity must hold in mind the continuance of the existence, and the encouragement of the growth, of the small investor. To kill the small investor is to make socialism inevitable.

The second of the particular interests named is that of the independent and potential producer. The chief argument in support of trusts rests upon the assumption that colossal corporations are essential to a low cost of production and on this account are the forerunners of low prices. It seems to me that this argument is sadly overworked; but, out of deference to the large number of conservative economists who judge it proper to march with the procession of present tendencies, it is temporarily conceded, in order to bring their view of the situation within our definition of publicity. Says Professor Clarke: "The key to the solution of the grave problems that are thus presented lies in the fact, that the independent producer is the natural protector of all the other threatened interests." Social and political considerations, also, urge the preservation of the independent man in industrial affairs. So far as his disappearance is due to the decrease of cost through the aggregations of large capital, no help, perhaps, can be offered. Possibly, none is to be desired. But so far as this is due to the fact that the small producer is exposed to "predatory competition," the government is in duty bound to grant its protection. This phrase "predatory competition" is taken from Professor Clarke's book, "The Control of Trusts." As defined by him, it embraces three classes of improper acts; namely, "favors exacted from railroads," "the local cutting of prices" (by which is meant the placing of goods on local markets at a sacrifice, in order to destroy local competition), and "the type of boycotting termed 'factor's agreement.'" Predatory competition thus defined is not competition at all; it is, again to quote Professor Clarke, "refined robbery;" and a citizen has the same right to protection from this refined robber as from the footpad or the pirate.

Can publicity reinstate normal competition? Possibly not, in

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and of itself; but, when government shall undertake the task of restoring to the public the liberty of individual enterprise which the institution of private property assumes to be the inalienable right of every business man (and which, taken away, means inevitably the destruction of the historic institution of private property), it will be found necessary to assign to publicity a broader and more comprehensive interpretation than seems at present to be contemplated by many of its most pronounced advocates. Publicity is whatever is necessary to perform the work of publicity, and one of its tasks is to assist in keeping open the door of opportunity for the independent producer.

The third interest to be considered is that of the consumer. From the time of Moses to the present, industrial philosophy has interpreted the fair price to mean the cost price. Wherever competition guarantees this fair price, government is excused from the task of supervision; but wherever exclusive possession of the source of raw material, monopoly of the process of manufacture, or factious control of the market, enables a corporation to charge either more or less than the fair price for the service which it renders, it is encumbent upon the government to substitute the bookkeeping price for the monopoly price, which, in the absence of effective competition, is sure to be exacted. The determination of the bookkeeping price by which the purchaser is guaranteed justice against a monopolistic producer, is, or may become in extreme cases, one of the functions of publicity, and any definition of publicity which ignores this fact is an incomplete definition.

THE ADMINISTRATIVE SIGNIFICANCE OF PUBLICITY.

Theorists are too apt, in their study of particular questions, to overlook administrative considerations. It seems sufficient to them to conclude that a certain thing should be done, without inquiring what is implied in the doing of it. Statute makers, also, are prone to the same error. Their besetting sin seems to be the enactment of laws which impose tasks, but which do not, in clear and unmistakable language, grant adequate power for the performance of the tasks imposed. This fact goes far toward explaining what is called the incompetency of governmental administrative bureaus. It seems appropriate, therefore, in discussing the character and scope of publicity, to go beyond a simple statement of the ends desired, and to inquire respecting the powers

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to be conferred, if the desired ends are to be attained. Three suggestions are offered as bearing on this phase of the subject.

First. A law designed to secure publicity, such as is necessary to enable government to dominate the industrial situation, must provide for the final determination of the industries which are to be subject to its jurisdiction. This implies, of course, an authoritative classification of industries. The general principle according to which such a classification should be made is manifest. Our industrial constitution—that is to say, that scheme of industrial rights and duties imposed by English jurisprudence—assumes not only the persistence of competition, but that the competition which persists will be normal in character and healthful in its working. The present necessity for an appeal to government is found in the fact that certain industries, or industries operated under certain pecular forms of organization, lie beyond the influence of the healthful regulation of competition. It is this class of industries to which the rule of publicity applies, a fact which the law providing for publicity should definitely express.

Unfortunately, however, although the principle is simple, its application in our complex industrial order would be attended with difficulty. It is not easy to enumerate the tests of normal competition, nor is the idea of monopoly a simple idea. There are many degrees in monopolization; there are many conditions which give vitality to monopolistic organization. Some industries are by nature monopolistic, others are monopolistic through ownership of the source of supply, and still others become monopolistic through their dependence upon or agreement with what may be termed the fundamental industries—as, for example, railways. The situation is not, then, a simple one. It can not be understood without an investigation more far-reaching and exhaustive than would be possible for any legislative committee. While, perhaps, one cannot go so far as to say that the determination of what industries are to be brought within the jurisdiction of a law providing for publicity is in its nature an administrative act, it is certain that better results are likely to follow if the law contents itself with a statement of the end to be attained, with a delineation of the principles to be followed, and with the creation of such executive machinery as may be necessary for its effective administration. It is clear to me, although the Federal Court in its treatment of the Inter-State Commerce Commission seems

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to hold a different opinion, that the realization of the principles of publicity and control means, among other things, a further development of judicial or semi-judicial functions on the part of the executive branch of the government. It is either this or a further development of administrative functions on the part of the judiciary; and, when the real meaning of such a tendency is appreciated by the people, I am confident they will choose the former alternative.

Second. The law should confer upon the bureau or commission intrusted with its administration, power to prescribe a legal form of accounts for all concerns which come under its jurisdiction. To one who has had experience with government investigations into corporate accounts, no argument is needed in support of such a suggestion. It is easy for an accountant, so disposed, to give a false coloring to a transaction by an unusual distribution of charges. A current expense may be carried as an investment in such a manner as to increase unduly net earnings, and thus deceive the investor as to the value of the property. An improvement, on the other hand, may be charged as a current expense, which results in an erroneous statement of cost, thus misleading both court and legislature, should either be called upon to consider the question of a just or reasonable price for service rendered. Statutory bookkeeping is the only remedy for the many mischiefs incident to uncertain accounting.

A system of prescribed accounting finds further support when one considers that, even with the best intention on the part of accounting officers, a compilation of the reports which they render will not accurately portray the industrial situation, unless the reporting corporations keep their books according to uniform rule. The basis of accounting is classification, and sound classification consists in collecting items of the same sort under the same title. If, now, there be no uniformity in the use made of the titles of accounts by the several accounting officers, it is evident that a combination of their reports will result in bringing together incongruous items, thus rendering impossible the determination of a true average or the disclosure of a safe generalization. This consideration in favor of statutory accounting is especially pertinent to those who rely upon that indefinite though powerful force called "public opinion" for the control of corporate powers.

The man interested in corporate securities as an investor, has

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a special reason for the advocacy of statutory accounting. His judgment relative to an investment rests quite as much upon a comparison of the current report with previous reports as upon an analysis of the current report itself. If, then, the corporate financier is at liberty to distribute the items of income and expenditure in an arbitrary manner, the usefulness of the report to the investor is very largely destroyed. It will be said that most corporations do, at the present time, maintain uniformity in their current reports. This may, perhaps, be true; but, in the same way that a small amount of false coin gives rise to the suspicion that all coins may be false, so the listing of securities of corporations whose accounts can not be trusted may be the occasion of widespread distrust with regard to all securities. The government ought to guarantee, not only the integrity of the reports which corporations make, but that the charges in the books from which the reports are made shall be uniform from month to month and from year to year.

The government, on its part, has a peculiar interest in the demand for statutory bookkeeping from all corporations subject to its supervisory jurisdiction. If each of these corporations—and their number, it may be assumed, will be very large—retains the privilege of formulating its own classification of charges, the task of gaining mastery over their accounts lies beyond the ability of any single office. If, however, the mastery of a single system of accounting implies the mastery of all, as would be the case if all industries of the same class follow the same accounting rules, this task would be greatly simplified. Each item would then mean the same thing for every reporting corporation, and it would not be necessary to enter upon a detailed analysis of each in order to arrive at its true meaning. Moreover, it would be impossible to locate reasonable suspicion relative to improper administration by the comparison of individual reports with what may be termed the typical report, were each corporation at liberty to follow its own whim in the classification of its charges. Such considerations as these, and there are others of the same sort, make it evident that the only hope for the successful exercise of supervisory control over the administration of private corporations, through the agency of an administrative bureau, lies in granting that bureau the right to prescribe the manner in which corporation accounts shall be kept.

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Third. The law designed to realize publicity must, in some manner, make the accounting officer of the corporations in question personally responsible for the report which he submits. The most direct method of arriving at this result would be to follow the suggestion of a man who, at the time of his death, was the treasurer of one of the largest railway interests in the country. "In my opinion," he said in the course of a conversation upon this point, "you will never get what you are after until railway accountants are made public officials." This, perhaps, is an extreme suggestion. It may have been made in levity, though many a sane word has been spoken in jest. It is certainly true that the accounting officers of the class of industries for which publicity is demanded, should be forced to recognize a broader allegiance than to the corporations which give them employment. As a practical proposition, it may at least be urged, in the name of the principle of publicity, that a government bureau created for the purpose should have the right of visitation and examination, and that any deviation which may be discovered from the method of accounting prescribed by law, should be regarded as a misdemeanor chargeable to the accounting officer. Unless one is willing to go this length in providing for governmental supervision over corporate administration, one had better abandon the advocacy of publicity.

It is, of course, understood that the foregoing is merely an attempt to formulate a practical definition of publicity. The analysis does not touch the deeper question of governmental supervision and control over monopolistic corporations. It is evident, however, that, whatever the character of that supervision or control, adequate provision must be made for getting at the facts. This is essential, whether we rely upon public opinion to exercise a conservative influence in the management of corporations, or upon the legislature to prescribe reasonable conditions for corporate activity, or upon a semi-judicial administrative bureau to supervise monopolistic combinations. Indeed, from whatever point of view the trust problem is considered, publicity stands as the first step in its solution; and there is reason to believe that the further the government is willing to go in its statutory definition of publicity the greater likelihood is there that it may be excused from the necessity of exercising direct administrative control.

HENRY C. ADAMS.

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THE

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EDITED BY GEORGE HARVEY.

VOL. CLXXV.

Tros Tyriusque mihi nullo discrimine agetur.

NEW YORK:
FRANKLIN SQUARE.
1902.

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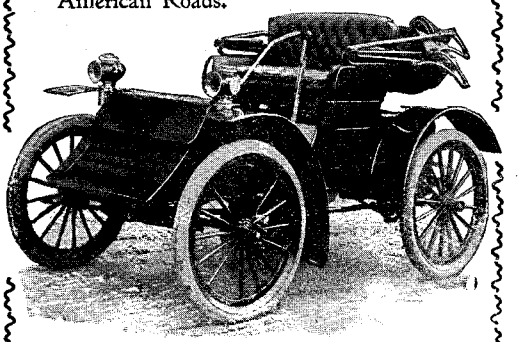

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for 1903 HARPER'S MAGAZINE for 1903

THESE WILL WRITE IN 1903

Algernon Charles Swinburne

Mary Johnston

Mark Twain

W. D. Howells

Edith Wharton

Maurice Hewlett

Mary E. Wilkins

Booth Tarkington

Robert W. Chambers

Amelie Rives

Margaret Deland

Henry Van Dyke

Thomas A. Janvier

IN these pages are outlined some reasons for believing that HARPER'S MAGAZINE (which attracted a larger number of readers in 1902 than ever before in its fifty years of progress) will appeal to an even wider audience in 1903.

The promise for increased excellence is a certain one, though only a part of the good may be definitely foretold. In the matter of serial stories and continued series of articles, HARPER'S MAGAZINE will be different.

It will not print more than one serial story at a time.

It will not print articles of a "news" nature.

It will not print consecutive series of short stories.

It will not print connected series of articles on any except possibly historical subjects. Thus every number will come as a surprise. This was true of last year, when the most important, the most readable, the most authoritative articles were those which appeared without preliminary announcement.

A few of the things which can now be announced are:

THE PICTURES OF EDWIN A. ABBEY, R. A.

Mr. Abbey has for ten years been engaged upon the colossal work of illustrating Shakespeare's Tragedies for HARPER'S MAGAZINE. Many of his pictures will be paintings in color, others in pen and ink, handled with that delicacy and finesse which characterize all of Mr. Abbey's work. All of Mr. Abbey's illustrative work will appear in HARPER'S MAGAZINE. The text accompanying Mr. Abbey's pictures will be by the most notable living scholars and critics.

ALGERNON CHARLES SWINBURNE

No living writer on literary subjects commands the attention of the world more completely than Mr. Swinburne. During the coming year he will contribute to HARPER'S MAGAZINE a number of brilliant literary articles. Other notable writers who will write on literary subjects are Theodore Watts-Dunton, Arthur Symons, Joseph Knight, W. J. Rolfe, etc.

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HARPER'S MAGAZINE
for 1903

A NEW ROMANCE
By MARY JOHNSTON
AUTHOR OF "TO HAVE AND TO HOLD"

Miss Johnston's new story is entitled "Sir Mortimer." It is a psychological study deeper than her previous work, and is of a more delicate literary texture; it maintains a higher artistic level and displays a new and maturer genius. Miss Johnston ranks anew from this work. "Sir Mortimer" is a romantic love story of the Elizabethan period. The romance will be illustrated by F. C. Yohn, and will run through the summer months.

MARK TWAIN

The famous author of "Huckleberry Finn" and "Tom Sawyer" will write only for HARPER'S during 1903. Mr. Clemens will contribute frequent short stories—possibly a novelette.

WILLIAM DEAN HOWELLS

Mr. Howells also will write only for HARPER'S during 1903. He will continue to conduct the "Easy Chair," and will contribute short stories, essays, and poems.

EXPLORATION AND TRAVEL

Representatives of the MAGAZINE are now travelling in unexplored parts of the world. Their narratives will appear during the coming year. Negotiations are now being carried on with Captain Sverdrup, who has just penetrated to the extreme of the Arctic regions, to write of his adventures and discoveries; and with Sven Hedin, the distinguished explorer, to tell of his perilous journey in Tibet; J. B. Connolly and H. Reuterdahl, the artist, have made a trip with the far northern whalers, in the interest of the MAGAZINE; I. Zangwill, the English novelist, and Louis Loeb, the painter, have travelled for the MAGAZINE through little-known parts of Italy. A special representative of the MAGAZINE is now making a trip on foot through the strange mountain districts of Greece and Turkey.

[OVER

Woodrow Wilson

George E. Woodberry

Goldwin Smith

Lew. Wallace

Theodore Watts-Dunton

Alice Meynell

Alice Brown

Alfred Ollivant

Brander Matthews

Chester Bailey Fernald

Josephine Dodge Daskam

E. S. Martin

I. Zangwill

Sarah Orne Jewett

Octave Thanet

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HARPER'S MAGAZINE
for 1903

A FEW OF THE ARTISTS WHOSE WORK WILL APPEAR IN HARPER'S MAGAZINE FOR 1903

Edwin A. Abbey, R.A.

Howard Pyle

F. C. Yohn

Elizabeth Shippen Green

Albert Sterner

W. T. Smedley

Walter Appleton Clark

Sarah Stilwell

H. Reuterdahl

E. M. Ashe

H. C. Christy

André Castaigne

Lucius Hitchcock

Peter Newell

F. Luis Mora

Jessie Wilcox Smith

Fletcher Ransom

THE DUTCH IN NEW YORK

For some years Mr. Thomas A. Janvier has made a study of the Dutch period in New York. The result of his researches is a story of that period, which differs most radically in its conclusions from the narratives of Irving and the early chroniclers. It gives the truth about this period for the first time. This history will be illustrated from contemporary engravings and documents.

THE STATE AND PROPERTY

John Finley, Professor of Politics, Princeton University, is making a personal study of the legislatures of thirty of our states. He will write on questions of state government, ownership of property, and other points equally vital to every citizen.

ECONOMIC AND INDUSTRIAL

Professor Richard T. Ely will contribute a number of papers on economic and sociological communities in the United States, which, as the representative of HARPER'S MAGAZINE, he has visited and is studying.

THE ENGLISH LANGUAGE

Articles on the English language, its problems, growth, its future, etc., will be a feature of the MAGAZINE for 1903. In the January number Professor Kittredge, of Harvard, will write of "The Coinage of Words." Later both Professor Kittredge and Professor Brander Matthews, of Columbia, will contribute in this field.

LITERATURE

Professor George E. Woodberry, of Columbia, will write of a number of the most significant periods in American life and letters. Literary essays will be contributed by Mrs. Alice Meynell, Mr. Howells, and Miss Agnes Repplier.

CHILD LIFE

In its stories and pictures of child life HARPER'S MAGAZINE has developed a new field—one of the greatest human interest. Even more attention will be paid

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for 1903

to this field during the coming year. Roy Rolfe Gilson will contribute several of his beautifully simple and truthful studies of child life, and arrangement has been made with Miss Sarah Stilwell to paint a series of child pictures, which will be reproduced in color.

SCIENCE AND ARCHÆOLOGY

The most authoritative accounts of important archæological discoveries by great scholars will appear in HARPER'S MAGAZINE. Professor Boni, who has conducted the investigations in the Forum at Rome, will write of his remarkable discoveries. Professor Hilprecht, of the University of Pennsylvania, will write of equally important discoveries in the East. Experiments are now being conducted in every field of science, and the final authorities will write of every notable development. Problems of life and psychological questions will be treated in a popular yet authoritative manner.

EARLY AMERICAN EXPLORERS

One of the leading American historians will tell the romance of the early adventurers in this country—men who, like Cortez, De Soto, Ponce de Leon, came from the most brilliant courts of Europe to fight their way through the unbroken forests of the new country.

SHORT STORIES

HARPER'S MAGAZINE will print in each number more short stories than any other illustrated magazine. In this branch of fiction the MAGAZINE has always been famous. It has published the best work of noted and new writers alike, and has been perhaps the strongest factor in developing short-story writing to its present perfection. Not less than seven short stories of varied types and wide range of interest will appear in each number of the MAGAZINE for 1903. The list of authors who will contribute stories includes the names of every notable story writer in this country and England. Some of the names are given in the margins.

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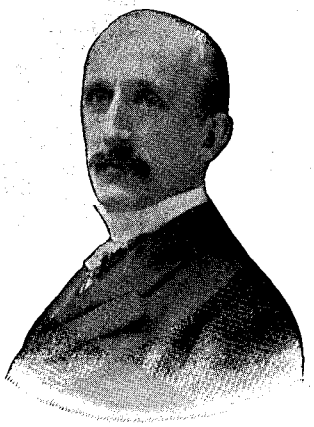

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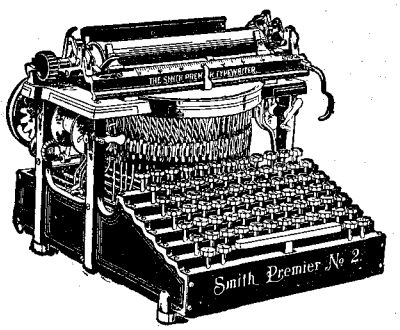

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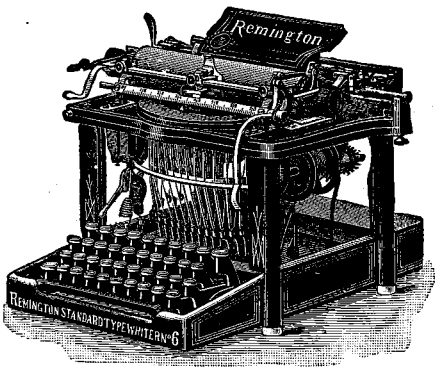

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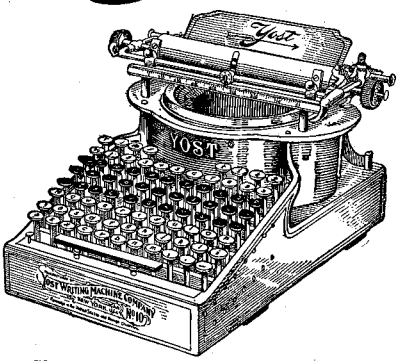

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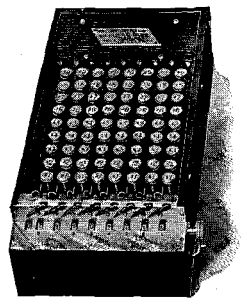

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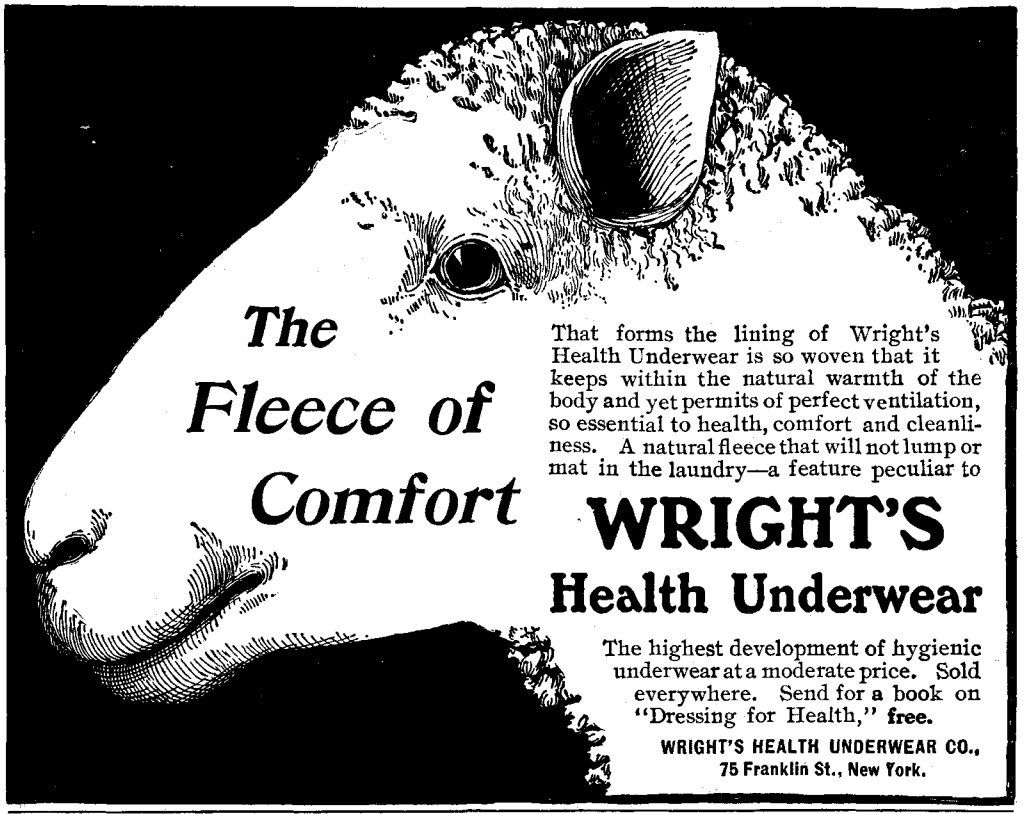

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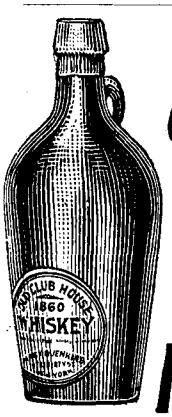

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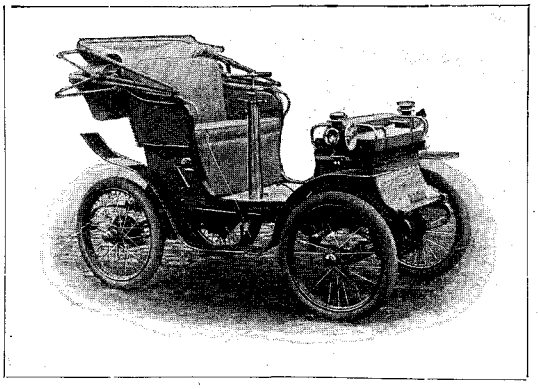

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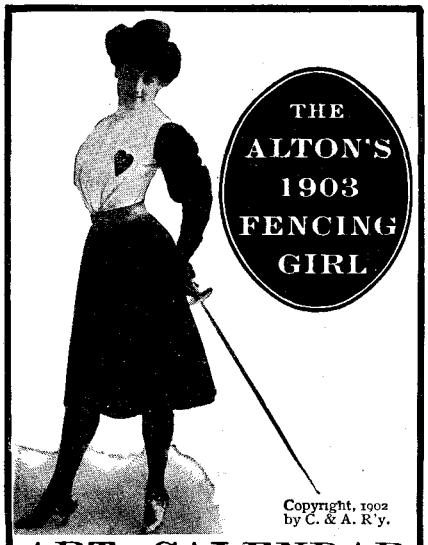

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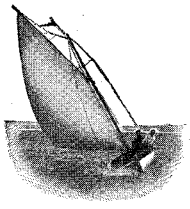

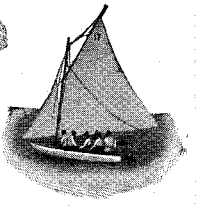

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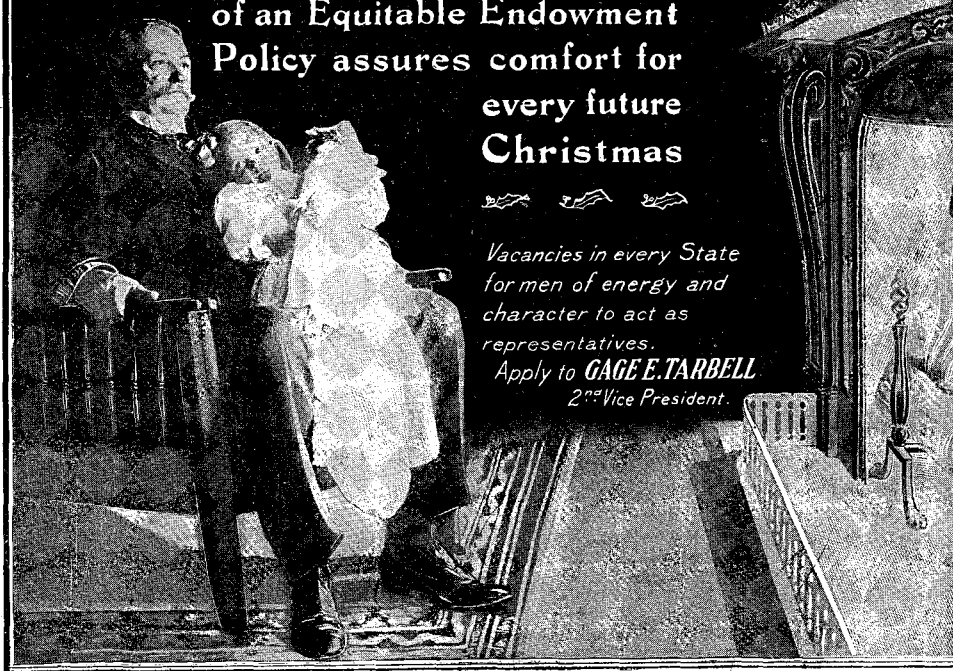

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